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ACTS AND STATUTES

Made in a

Parliament begun at *Dublin*,

The Twelfth Day of *November*, Anno Dom. 1715. In
the Second Year of the Reign of Our Most Gracious Sovereign

Lord KING *GEORGE*,

Before His Grace *CHARLES* Duke of
GRAFTON, and His Excellency *HENRY*
Earl of *GALLWAY*, Lords Justices General
and General Governors of *IRELAND*.

And continued under His Grace *Charles* Duke of *Bolton*, Lord
Lieutenant General and General Governor of *Ireland*, by several Proroga-
tions to the Twenty Seventh of *August*, 1717.

And continued under His Grace *Charles* Duke of *Bolton*, Lord
Lieutenant General and General Governor of *Ireland*, by several Proroga-
tions to the First Day of *July*, 1719.

And further continued under His Grace *Charles* Duke of *Grafton*,
Lord Lieutenant General and General Governor of *Ireland*, by several Pro-
rogations until the Twelfth Day of *September*, 1721.

And further continued under His Grace *Charles* Duke of *Grafton*,
Lord Lieutenant General and General Governor of *Ireland*, by several Pro-
rogations until the Twenty Ninth Day of *August*, 1723.

And further continued under His Excellency *John* Lord *Carteret*,
Lord Lieutenant General and General Governor of *Ireland*, by several Pro-
rogations until the Twenty First Day of *September*, 1725. Being the Sixth
Session of this present Parliament.



DUBLIN: Printed by *Andrew Cronke*, Printer
to the King's most Excellent Majesty, at the *King's-Arms* in
Copper-Alley, 1725.

to the King's most Excellent Majesty, at the King's Arms in
Coopers-Hill, 1795.

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An Act for Granting and Continuing to His Majesty the Additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes : And also, upon all sorts of Wine, Strong Waters and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine : And also, for Granting and Continuing the further Additional Duties on Beer, Ale, Aquavitæ, and Strong Waters, Brewed and Made in this Kingdom : And upon Brandy or Spirits above Proof : And on Tea, Coffee, Chocolate and Cocoa Nuts : And also, for Granting a further Additional Duty upon Brandy or Spirits above Proof : And also, a Tax on all Salaries, Profits of Employments, Fees and Pensions therein mentioned : And for Securing the Re-payment of Fifty Thousand Pounds Sterling, formerly Advanced to His Majesty for the Use of the Publick ; Together with the Interest thereof.

C H A P. I.

WE Your Majesties most Dutiful and Loyal Subjects the Commons of Ireland in Parliament Assembled, being highly Sensible of Your Majesties Tender Regard for the Security and Welfare of this Kingdom, in Grateful Acknowledgment thereof, and for the better Support of Your Majesties Government, and Securing the Re-payment of that Debt which was Contracted to Enable Your Majesty to put this Kingdom in a Posture of Defence, when an Unnatural and Horrid Rebellion Broke out in Great Britain against Your Majesty, have in the most Cheerful manner Unanimously Granted to Your Majesty the several Duties herein after mentioned, and for that End, Do humbly Beseech Your Majesty that it may be Enacted,

And

That Your Majesty may have full Power, sole Privilege and Authority, that you, your Heirs and Successors, your Justices, Judges, and Officers, should and lawfully might, and lawfully do, and lawfully cause to be done, your full Power, sole Privilege and Authority, that you, your Heirs and Successors, your Justices, Judges, and Officers, should and lawfully might, and lawfully do, and lawfully cause to be done, your full Power, sole Privilege and Authority, that you, your Heirs and Successors, your Justices, Judges, and Officers, should and lawfully might, and lawfully do, and lawfully cause to be done,

And be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That the several and respective Additional Rates, Duties and Impositions for and upon Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes, which in and by one Act of Parliament Made and Passed in the Second Year of His Majesties Reign, Intituled, An Act for Granting to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes. Were Granted unto His Majesty or Chargable in manner therein mentioned, from the Twenty first Day of November One thousand seven hundred and fifteen, during the space of Six Calendar Months, and which by One other Act Made and Passed in the Second Year of His Majesties Reign, were continued until the Twenty first Day of November in the Year of our Lord One thousand seven hundred and seventeen inclusive, and which by One Act Made and Passed in the Fourth Year of His Majesties Reign, were continued until the Twenty first Day of November in the Year of our Lord One thousand seven hundred and nineteen inclusive, and which by another Act passed in the Sixth Year of His Majesties Reign, were continued until the Twenty fifth Day of December One thousand seven hundred and twenty one inclusive, and which by one other Act Made and Passed in the Eighth Year of His Majesties Reign, were continued until the Twenty fifth Day of December One thousand seven hundred and twenty three inclusive, and which by one other Act Made and Passed the last Session of Parliament in the Tenth Year of His Majesties Reign, Intituled, An Act for Granting and Continuing to His Majesty the Additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes: And also, upon all sorts of Wine, Strong Waters and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine: And also, for Granting and Continuing the further Additional Duties on Beer, Ale, Aquavite and Strong Waters Brewed and Made in this Kingdom: And upon Brandy or Spirits above Proof, and on Tea, Coffee, Chocolate and Cocoa Nuts: And also, a Tax on all Salaries, Profits of Employments, Fees and Pensions therein mentioned: And for Securing the Re-payment of Fifty Thousand Pounds Sterling, formerly Advanced to His Majesty for the Use of the Publick; Together with the Interest thereof, Were Granted and Continued until the Twenty fifth Day of December One thousand seven hundred and twenty five inclusive, be further Granted, Raised, Continued, Levied, Collected and Paid unto His Majesty, His Heirs and Successors, from the said Twenty fifth Day of December One thousand seven hundred and twenty five, until the Twenty fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive.

And be it further Enacted by the Authority aforesaid, That the several and respective Additional Rates, Duties and Impositions for and upon all sorts of Wines and Strong Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine Imported into this Kingdom, which in and by One Act of Parliament Made and Passed in the Second Year of His Majesties Reign, Intituled, An Act for Granting unto His Majesty an Additional Duty on all Wines and Strong Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine: And also, a Tax on all Salaries, Profits of Employments, Fees and Pensions therein mentioned, Were Granted unto His

His Majesty or Chargeable in manner therein mentioned, until the Twenty First Day of November One thousand seven hundred and seven-
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 likewise the further and other Additional Duties and Impositions on Beer,
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 stillled in this Kingdom ; And upon Brandy or Spirits above Proof
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 nuing the further Additional Duties on Beer, Ale, Aquavitee, and Strong
 Waters, Brewed and Made in this Kingdom : And upon Brandy or Spi-
 rits above Proof : And on Tea, Coffee, Chocolate and Cocoa Nuts :
 And also, a Tax on all Salaries, Profits of Employments, Fees and Pen-
 sions therein mentioned : And for Securing the Re-payment of Fifty Thou-
 sand Pounds *Sterling*, formerly Advanced to His Majesty for the Use of
 the Publick : Together with the Interest thereof, ~~Were~~ Granted and
 Continued until the Twenty Fifth Day of December One thousand
 seven hundred and twenty five inclusive, be further Granted, Continu-
 ed, Keisen, Levied, Collected and Paid to His Majesty, His Heirs and
 Successors, from the said Twenty Fifth Day of December One thou-
 sand seven hundred and twenty five, until the said Twenty Fifth Day
 of December which will be in the Year of our Lord One thousand
 seven hundred and twenty seven inclusive.

And

And be it further Enacted by the Authority aforesaid, That for the better Levying and Collecting the several Rates and Duties hereby Granted and Continued, and also, for a further Supply to His Majesty, all and every the Rules, Directions, Powers and Authorities relating to Brewers Miring their Beer and Ale, and Distillers Distilling of Strong Waters, and all Penalties and Forfeitures Arising thereby and therefrom, Given and Granted in and by the before mentioned Act Passed in the Fourth Year of His Majesties Reign, Intituled, An Act for continuing to His Majesty an Additional Duty on all Wines and Strong Waters and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine: And also, a Tax on all Salaries, Profits of Employments, Fees and Pensions therein mentioned: And for Granting a further Additional Duty on Ale, Beer and Strong Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine: And for Securing the Re-payment of Fifty Thousand Pounds *Sterling*, formerly Advanced unto His Majesty for the Use of the Publick; Together with the Interest thereof, Which were to continue from the Twenty first Day of November One thousand seven hundred and seventeen, until the Twenty first Day of November One thousand seven hundred and nineteen inclusive; And which were further Granted and Continued from the said Twenty first Day of November One thousand seven hundred and nineteen, until the Twenty fifth Day of December One thousand seven hundred and twenty one inclusive, by the before emended Act Passed in this Kingdom in the Sixth Year of His Majesties Reign; And which were further Granted and Continued from the said Twenty fifth Day of December One thousand seven hundred and twenty one, until the Twenty fifth Day of December One thousand seven hundred and twenty three inclusive, by the before mentioned Act Passed in the Eighth Year of His Majesties Reign; And which were further Granted and Continued from the said Twenty fifth Day of December One thousand seven hundred and twenty three, until the Twenty fifth Day of December One thousand seven hundred and twenty five inclusive, by the before mentioned Act Passed in the last Session of this present Parliament, Shall be and continue in full Force to all Intents and Purposes from the said Twenty fifth Day of December One thousand seven hundred and twenty five, until the Twenty fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive.

And be it Enacted by the Authority aforesaid, That for the further Supply to be Granted to His Majesty from and after the Twenty fifth Day of December One thousand seven hundred and twenty five, until the Twenty fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive, there shall be Raised, Collected, Levied and Paid unto His Majesty, His Heirs and Successors, throughout this His Majesties Kingdom of Ireland, for and upon all Brandy or Spirits above Proof, that shall be Imported into this Kingdom during the time aforesaid, the further Additional Duty herein after mentioned, (that is to say) For every Gallon of such Brandy or Spirits above Proof the Sum of Three Shillings and Four Pence, and so proportionably for a greater or lesser Quantity.

And

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And be it further Enacted by the Authority aforesaid, That the several Additional Rates and Duties upon all Coffee, Tea, Chocolate and Cocoa Nuts, Granted by the before mentioned Act Passed in this Kingdom in the Sixth Year of His Majesties Reign, Intituled, An Act for continuing to His Majesty the Additional Duties on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes: And also, on all sorts of Wines, Strong Waters and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine: And also, a Tax on all Salaries, Profits of Employments, Fees and Pensions therein mentioned: And for continuing the further Additional Duty on Ale, Beer, and Strong Waters and Spirits perfectly Made, and upon Spirits Made and Distilled of Wine: And for Granting an Additional Duty on Mclasses, Treacle, Tea, Coffee, Chocolate, and Cocoa Nuts: And for Securing the Repayment of Fifty Thousand Pounds *Sterling*, formerly Advanced unto His Majesty for the Use of the Publick; Together with the Interest thereof, from the First Day of September One thousand seven hundred and nineteen, until the Twenty Fifth Day of December One thousand seven hundred and twenty one inclusive; And which were further Granted from the said Twenty Fifth Day of December One thousand seven hundred and twenty one, until the Twenty Fifth Day of December One thousand seven hundred and twenty three inclusive; And which were further Granted by the before mentioned Act Passed the last Session of this present Parliament, from the Twenty Fifth Day of December One thousand seven hundred and twenty three, until the Twenty Fifth Day of December One thousand seven hundred and twenty five inclusive, be further Granted and Continued, Levied, Raised and Paid to His Majesty, His Heirs and Successors, from the said Twenty Fifth Day of December One thousand seven hundred and twenty five, until the Twenty Fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive.

And be it further Enacted by the Authority aforesaid, That the said Additional Rates and Duties on Coffee, Tea, Chocolate and Cocoa Nuts, and all Money Arising thereby shall be Paid to the Trustees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, to be by them Applied to Encourage and Support the said Manufactures, and the Trade thereof in this Kingdom.

And be it further Enacted by the Authority aforesaid, That all and every the several and respective Additional Duties; hereby Granted or Continued, shall be Raised, Answered, Collected and Paid unto His Majesty, His Heirs and Successors, during the Term aforesaid, at the same time in like manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers as are Appointed, Directed and Expressed in and by an Act made in this Kingdom in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for the Settling of the Excise or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein Inserted: Or by any other Law now in Force relating to the Revenue or Excise in this Kingdom, as fully and effectually to all Intents and Purposes as if the same were particularly Mentioned, Expressed and Enacted again in
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the Body of this present Act, with like Remedy of Appeal to and for the Party grieved, as in and by the said Act of Excise is provided.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons having upon the Twenty Fifth Day of December One thousand seven hundred and twenty five, or who shall have at any time from and after the said Twenty Fifth Day of December One thousand seven hundred and twenty five, until the Twenty Fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive, any Office, Salaries, Profits of Employments, Fees and Pensions upon the Civil or Military Establishments in this Kingdom, shall pay unto His Majesty, His Heirs and Successors, the full Sum of Four Shillings Sterling out of every Twenty Shillings a Year which he, she or they do or shall Receive or be Intitled unto, by reason of such Office, Salaries, Profits of Employments, Fees and Pensions, unless such Person or Persons do and shall like and actually Reside within this Kingdom for and during the Space of Six Calendar Months at least in each of the said Years, which said Tax or Duty of Four Shillings Sterling out of every Twenty Shillings a Year as aforesaid, shall be Stopped and Deducted Yearly during the Time and Term aforesaid, by the Vice-Treasurer, Pay-Master and Receiver-General of His Majesties Revenues, and be Accounted for to His Majesty, His Heirs and Successors.

Provided always, And it is hereby Declared, That this Act shall not Extend to Charge the said Tax or Duty of Four Shillings Sterling a Year on every Twenty Shillings as aforesaid, upon the Salary, Pension, Fees or Profits of Employment Payable to the Lord Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being, or the Salaries, Fees, Pensions, Pay or Profits of Employment Payable to any Person or Persons who shall by his or their Offices and Employments be obliged to an immediate Attendance upon the Persons of His Sacred Majesty, or Their Royal Highnesses the Prince and Princess of Wales, or Their Majesties, during their continuance in such their respective Offices and Employments, or to the Pay of the Officers of the Army, or Half-Pay Officers upon the Establishment of this Kingdom.

And be it further Enacted by the Authority aforesaid, That the Six Pence per Pound, and all other Fees which shall or may be Payable to the Vice-Treasurer, Receiver or Pay-Master-General of this Kingdom, for or on Account of, or out of the Aids Granted unto His Majesty this present Session of Parliament, shall be Received by the said Vice-Treasurer, Receiver or Pay-Master-General for the Use of His Majesty, His Heirs or Successors, and shall be duly Accounted for by him or them to His Majesty, His Heirs and Successors, as a further and Additional Aid hereby Given and Granted.

And whereas His Majesties Faithful Commons in the First Session of this present Parliament, the better to Enable His Majesty to Provide for the Defence and Safety of this Kingdom, did Resolve, That whatsoever Sums of Money should be Advanced and Paid into His Majesties Treasury by any Person or Persons at the Instance of Their Excellencies the then Lords Justices, or other Chief Governour or Governours of this Kingdom for the time being, for the Defence thereof, should be made

made good with Legal Interest for the same out of such Aids as should be Granted to His Majesty the then next Session of Parliament.

And whereas for the better Securing such Sum or Sums as should be so Advanced, It is Provided by an Act Passed in the first Session of this Parliament, Intituled, An Act for continuing to His Majesty the Additional Duty on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes: That such Sum or Sums of Money as should be so Advanced and Paid into His Majesties Treasury, should be Repayed unto such Person or Persons as should Lend or Advance the same, his, her or their Executors, Administrators or Assigns, with Legal Interest out of the next Aids to be Granted by Parliament without any Deduction.

And whereas the Sum of Fifty Thousand Pounds hath been Advanced and Paid into His Majesties Treasury, in pursuance of the said Resolution and Act of Parliament, which Debt still remains Due and Unsatisfied.

Be it further Enacted by the Authority aforesaid, That such Person or Persons who have Advanced or Paid into His Majesties Treasury any Sum or Sums of Money being part of the said principal Sum of Fifty Thousand Pounds, their Executors, Administrators or Assigns, shall continue to have and Receive, and be Well and Truly Paid at the Receipt of His Majesties Exchequer by the Hands of the Vice-Treasurer or Pay-Master-General, his or their Deputy or Deputies every Six Months, the Interest of the respective Sum or Sums of Money so by them Advanced at the Rate of Seven Pounds per Cent per Annum, without Fee or Charge during the time the said Principal Sum of Fifty Thousand Pounds or any part thereof shall continue unpaid, and free from all manner of Deductions, Defalcations and Abatements whatsoever out of such His Majesties Treasure or Revenue as shall come to his or their Hands until they are respectively Paid and Satisfied the respective principal Sums so by them Paid and Advanced as aforesaid; And if any part of the said principal Sum of Fifty Thousand Pounds shall be Due and Unpaid on the Twenty Fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven, the same shall be well and truly Satisfied and Paid unto the several and respective Persons, their Executors, Administrators or Assigns, respectively to whom the same shall be then Due, together with such Legal Interest for the same at the Rate of Seven Pounds per Cent as aforesaid as shall be then in Arrear, without any Deduction, Defalcation or Abatement, for or on Account of Pells, Poundage, or other Fees, Charges or Deductions whatsoever.

And it further Enacted by the Authority aforesaid, That the several Sums hereafter mentioned and appointed, be Paid out of the Additional Duties and Aids Granted and Continued to His Majesty by this present Act to the Persons hereafter mentioned, (that is to say) a Sum of Three Hundred Pounds Sterling to Bruen Worthington, and Two Hundred Pounds Sterling to Isaac Ambrose, Clerks of the House of Commons, as Rewards for their respective Attendance and Services this Session of Parliament, and the further Sum of Two Hundred Pounds Sterling to the said Bruen Worthington and Isaac Ambrose, as a Recompence for their Extraordinary Expence in preparing Copies

the Body of this present Act, with like Remedy of Appeal to and for the Party grieved, as in and by the said Act of Excise is provided.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons having upon the Twenty Fifth Day of December One thousand seven hundred and twenty five, or who shall have at any time from and after the said Twenty Fifth Day of December One thousand seven hundred and twenty five, until the Twenty Fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven inclusive, any Office, Salaries, Profits of Employments, Fees and Pensions upon the Civil or Military Establishments in this Kingdom, shall pay unto His Majesty, His Heirs and Successors, the full Sum of Four Shillings Sterling out of every Twenty Shillings a Year which he, she or they do or shall Receive or be Intitled unto, by reason of such Office, Salaries, Profits of Employments, Fees and Pensions, unless such Person or Persons do and shall like and actually Reside within this Kingdom for and during the Space of Six Calendar Months at least in each of the said Years, which said Tax or Duty of Four Shillings Sterling out of every Twenty Shillings a Year as aforesaid, shall be Stopped and Deducted Yearly during the Time and Term aforesaid, by the Vice-Treasurer, Pay-Master and Receiver-General of His Majesties Revenues, and be Accounted for to His Majesty, His Heirs and Successors.

Provided always, And it is hereby Declared, That this Act shall not Extend to Charge the said Tax or Duty of Four Shillings Sterling a Year on every Twenty Shillings as aforesaid, upon the Salary, Pension, Fees or Profits of Employment Payable to the Lord Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being, or the Salaries, Fees, Pensions, Pay or Profits of Employment Payable to any Person or Persons who shall by his or their Offices and Employments be obliged to an immediate Attendance upon the Persons of His Sacred Majesty, or Their Royal Highnesses the Prince and Princess of Wales, or Their Majesties, during their continuance in such their respective Offices and Employments, or to the Pay of the Officers of the Army, or Half-Pay Officers upon the Establishment of this Kingdom.

And be it further Enacted by the Authority aforesaid, That the Six Pence per Pound, and all other Fees which shall or may be Payable to the Vice-Treasurer, Receiver or Pay-Master-General of this Kingdom, for or on Account of, or out of the Aids Granted unto His Majesty this present Session of Parliament, shall be Received by the said Vice-Treasurer, Receiver or Pay-Master-General for the Use of His Majesty, His Heirs or Successors, and shall be duly Accounted for by him or them to His Majesty, His Heirs and Successors, as a further and Additional Aid hereby Given and Granted.

And whereas His Majesties Faithful Commons in the First Session of this present Parliament, the better to Enable His Majesty to Provide for the Defence and Safety of this Kingdom, did Resolve, That what ever Sums of Money should be Advanced and Paid into His Majesties Treasury by any Person or Persons at the Instance of Their Excellencies the then Judges Justices, or other Chief Governour or Governours of this Kingdom for the time being, for the Defence thereof, should be

made

made good with Legal Interest for the same out of such Aids as should be Granted to His Majesty the then next Session of Parliament.

And whereas for the better Securing such Sum or Sums as should be so Advanced, It is Provided by an Act Passed in the first Session of this Parliament, Intituled, An Act for continuing to His Majesty the Additional Duty on Beer, Ale, Strong Waters, Tobacco, and other Goods and Merchandizes: That such Sum or Sums of Money as should be so Advanced and Paid into His Majesties Treasury, should be Repayed unto such Person or Persons as should Lend or Advance the same, his, her or their Executors, Administrators or Assigns, with Legal Interest out of the next Aids to be Granted by Parliament without any Deduction.

And whereas the Sum of Fifty Thousand Pounds hath been Advanced and Paid into His Majesties Treasury, in pursuance of the said Resolution and Act of Parliament, which Debt still remains Due and Unsatisfied.

Be it further Enacted by the Authority aforesaid, That such Person or Persons who have Advanced or Paid into His Majesties Treasury any Sum or Sums of Money being part of the said principal Sum of Fifty Thousand Pounds, their Executors, Administrators or Assigns, shall continue to have and Receive, and be Well and Truly Paid at the Receipt of His Majesties Exchequer by the Hands of the Vice-Treasurer or Pay-Master-General, his or their Deputy or Deputies every Six Months, the Interest of the respective Sum or Sums of Money so by them Advanced at the Rate of Seven Pounds per Cent per Annum, without Fee or Charge during the time the said Principal Sum of Fifty Thousand Pounds or any part thereof shall continue unpaid, and Free from all manner of Deductions, Defalcations and Abatements whatsoever out of such His Majesties Treasure or Revenue as shall come to his or their Hands until they are respectively Paid and Satisfied the respective principal Sums so by them Paid and Advanced as aforesaid; And if any part of the said principal Sum of Fifty Thousand Pounds shall be Due and Unpaid on the Twenty Fifth Day of December which will be in the Year of our Lord One thousand seven hundred and twenty seven, the same shall be well and truly Satisfied and Paid unto the several and respective Persons, their Executors, Administrators or Assigns, respectively to whom the same shall be then Due, together with such Legal Interest for the same at the Rate of Seven Pounds per Cent as aforesaid as shall be then in Arrear, without any Deduction, Defalcation or Abatement, for or on Account of Pells, Poundage, or other Fees, Charges or Deductions whatsoever.

And it further Enacted by the Authority aforesaid, That the several Sums hereafter mentioned and appointed, be Paid out of the Additional Duties and Aids Granted and Continued to His Majesty by this present Act to the Persons hereafter mentioned, (that is to say) a Sum of Three Hundred Pounds Sterling to Bruen Worthington, and Two Hundred Pounds Sterling to Isaac Ambrose, Clerks of the House of Commons, as Rewards for their respective Attendance and Services this Session of Parliament, and the further Sum of Two Hundred Pounds Sterling to the said Bruen Worthington and Isaac Ambrose, as a Recompence for their Extraordinary Expence in preparing Copies

of the Publick Accounts for the Members of the House of Commons; And also, The Sum of Two Hundred Pounds Sterling to John Kerr Clerk Assistant, Three Hundred Pounds Sterling to Richard Povey Sergeant at Arms, for his Attendance on the House of Commons, Two Hundred and Fifty Pounds Sterling to William Bayly and Henry Buckley the Clerks Attending the Committee of Accounts, and other Committees, to be equally Divided between them, Eighty Pounds Sterling to John Fieldhouse and Bartholomew Mc. Dannel Door-keepers of the House of Commons, to be equally Divided between them, which said several last mentioned Sums are given to the said several Persons as Rewards for their several Services, Attendances and Expence this Session of Parliament; And also, the Sum of Three Hundred Pounds Sterling to Mathew Penefather Esquire Accomptant-General, as a Reward for his Expence and Trouble in Preparing and Stating the Publick Accounts of the Nation Laid before the House of Commons this Session of Parliament; And also, the Sum of Two Thousand Pounds per Annum during the Space of Two Years, be paid to the Trustees of the Linnen Manufacture, to Encourage the Raising sufficient Quantities of Hemp and Flax in this Kingdom; All which said several Sums are to be Paid by the Vice-Treasurer or Receiver-General of this Kingdom, without any further or other Warrant to be Sued for, Had or Obtained in that behalf.

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To Prevent the
Fradulent and Clandestine
Importing of GOODS.

C H A P. II.

WH E R E A S the several Laws already made for the Preventing the Unlawful and Clandestine Running of Goods and Merchandizes Imported into this Kingdom, and for the Encouragement of the Fair Trader, have been Rendered Ineffectual by the several Frauds that have been Committed and are Daily Practised to the great Diminution of His Majesty's Revenue, and the Impoverishment of such Persons as Pay the Duties: And whereas for the better Carrying on such Private and Fraudulent Trade, Exciseable Goods and Merchandizes, are frequently Taken in at Sea by Fishing Boats, or other Coasting Vessels out of some Ship or Vessel in Order to be brought into this Kingdom.

Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That in Case any Exciseable Goods, Wares or Merchandizes shall, after the Twenty fifth Day of April, which shall be in the Year of Our Lord, One thousand seven hundred and twenty six, be Unshipped or Taken in at Sea, or out of any Ship or Vessel whatsoever, in Order to be Landed, or put into any other Vessel, Ship or Boat within the Limits of any Port in this Kingdom, without first Paying or Securing, according to Law, the Customs and other Duties Payable

Payable for the same, the Master or other Person having Charge of such Ship, Boat or other Vessel into which any such Goods, Wares or Merchandizes shall be Taken or Put as aforesaid, shall forfeit Treble the Value of such Goods, Wares or Merchandizes, unless in Case of Distress or Necessity, of which the Master or other Person having Charge of such Ship, Boat or other Vessel, shall immediately give Notice, and make sufficient Proof of, before the Chief Officer or Officers of the Revenue of the first Port of this Kingdom where he shall Arrive, and the Master, Purser, or other Person Taking Charge of the Ship or Vessel out of which such Goods shall be taken at Sea, unless in Case of Necessity as aforesaid, shall also forfeit Treble the Value of such Goods so Unshipped, One moiety of which Forfeiture to be for the Use of His Majesty, His Heirs and Successors, and the other moiety to such Person or Persons who shall Inform or Sue for the same in such manner as is herein after mentioned.

And whereas great Quantities of Tobacco made up in small Trusses, Bundles, Baggs, Rolls or Casks are daily Imported with an Intent that the same may be more Easily and Privately be Carried off and Conveyed away without Paying the Duties payable thereon for prevention thereof,

Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, which shall be in the Year of our Lord One thousand seven hundred and twenty six, no Tobacco so made up shall be Imported or Brought into this Kingdom, or to any Port, Harbour, Haven or Creek thereof in any other manner than in Hogsheads, Casks or Vessels, or other Package, not containing less than Three Hundred Pound Weight from the Isle of Man, or from any other Place from and after the first Day of May, in the Year aforesaid, upon pain of forfeiting the said Tobacco, or the Value thereof: And whereas to the great Loss of the Revenue and the Ruin of the fair Trade, great Quantities of Brandy, Strong Waters and Spirits; And also Tobacco and other Goods of the Growth or Manufacture of Asia, Africa and America, are secretly Imported into this Kingdom in small Ships and Vessels or Boats, under the Burthen of Twenty Tuns from the Isle of Man; For prevention of which,

Be it Enacted by the Authority aforesaid, That if any Tobacco, Brandy, Strong Waters, Spirits, or such Goods and Merchandizes of the Growth or Manufacture of Asia, Africa or America, shall, from and after the said Twenty fifth Day of April, One thousand seven hundred and twenty six, be imported or brought into the Kingdom of Ireland, or into any Port, Harbour or Creek thereof from the Isle of Man, or shall be found in any Ship, Vessel or Boat, under the Burthen of Twenty Tuns from the Isle of Man, except for the private Use of the Master, Seamen and Passengers on Board such Ship or Vessel, or Boat, not exceeding Two Pounds Weight of Tobacco, and One Gallon of Brandy, Strong Waters or Spirits for each Seaman and

and Passenger, every such Ship, Vessel or Boat, with all her Tackles, Furniture and Apparel, or the Value thereof; And also such Tobacco, Brandy, Strong Waters, Spirits or any Goods of the Growth or Manufacture of Asia, Africa or America, shall be forfeited, and shall and may be Seized by any Officer of the Revenue; and in Case such Vessel or Goods cannot be Seized, the Master or other Person, having Charge of the Vessel in which such Goods were Imported, shall forfeit the Value thereof, One Moiety of which Forfeiture shall be for the Use of His Majesty, His Heirs and Successors, and the other Moiety to him or them who shall Inform or Sue for the same, and shall and may be Recovered in such manner as is herein after mentioned: And for the better preventing of Frauds in Drawbacks.

Be it Enacted by the Authority aforesaid, That if any Goods or Merchandizes Shipped to be Exported, for which any Allowance is to be made, or Drawback given by the Laws now in Force in this Kingdom upon the Exportation thereof, shall be Relanded or Unshipped in any Port or Place in the Kingdom of Ireland, or shall be put on Board any Boat or other Vessel at any Creek, Haven or Port thereof, or at Sea, in Order to be Relanded contrary to the true Intent and Meaning of this Act, without the License of one or more of the Principal Officers of such Port or Place first had and obtained, or unless it be in Case of Distress to Save the said Goods from Perishing, which shall be made known forthwith to One of the Officers of the Port where such Ship shall Arrive, the Master, Purser, or other Person, having the Charge of such Ship out of which such Goods shall be Unshipped, and also the Owner of such Goods and Merchandizes shall forfeit Treble the Value thereof, One Moiety to His Majesty, His Heirs and Successors, and the other Moiety to the Informer, to be Recovered as is herein after mentioned; And for the more effectual prevention thereof,

Be it further Enacted by the Authority aforesaid, That from and after the first Day of April One thousand seven hundred and twenty six, no Allowance shall be made to such Merchant or Exporter, or Payment made for or on Account of any Drawback that he may be entitled to upon the Exportation of any Goods, unless over and above the Oath and the Certificate already required, the Master also of the Ship or Vessel in which the said Goods are to be Exported, shall make Oath before the Collector or other Chief Officer of the Port where such Goods are Shipped, that to the best of his Knowledge and Belief the same are not to be intended to be Relanded, and that he will not Permit or Suffer the said Goods, or any part of them to be Relanded in any Port, Creek or Haven of the Kingdom of Ireland, unless in Case of Real Distress to save the Goods from perishing; which Oath the said Collector or other Chief Officer shall administer and Required to Administer: Provided always, That if such Master or Exporter shall know or suspect, that in such Case the voluntary Admission of such Master or Exporter shall and may be taken instead of such Oath.

And whereas the Persons that are Employed in Running Goods, and Defrauding His Majesty of the several Duties Payable for Excisable Goods and Merchandizes, are greatly Encouraged in such clandestine Trade by such Persons as for their private Lucre Receive, Sell and Buy such Goods and Merchandizes; Wherefore for the better Discovery of, and Prevention of the Sale of all Goods and Merchandizes, and Commodities whatsoever which are liable to any Duties of Excise, and for which no Duty hath been Paid or Entry Made, or that have not been Legally Condemned,

Be it Enacted by the Authority aforesaid, That, from and after the first Day of April, which shall be in the Year of our Lord One thousand seven hundred and twenty six, in Case any Person or Persons shall knowingly Harbour, Keep or Conceal, or shall knowingly Permit or Suffer to be Harboured, Kept or Concealed, or shall Sell or Expole to Sale, or Buy any such Excisable Goods or Merchandizes knowing that the same were Run, such Person or Persons shall over and above the Forfeiture of such Goods, Forfeit and Lose Treble the Value of such Goods.

And whereas by the Laws relating to the Excise, it is amongst other Things Enacted, That if any Difference or Matter of Controversie should happen to Arise between any Merchant, Trader or Dealer, and the Commissioners, Sub-Commissioners, Collectors, or other Officers therein mentioned, It might be Lawful for every such Person or Persons to make his Appeal to the Lord Lieutenant, Deputy, or other Chief Governour or Governours and Privy Council of Ireland, or such as they should appoint under the Great Seal.

And whereas there is no time limited in and by the said Laws for bringing such Appeal, whereby great Inconveniencies have happened as well to the Subject as to His Majesties Revenue; For Remedy whereof,

Be it Enacted by the Authority aforesaid, That such Person or Persons who shall think himself or themselves Aggrieved by any Judgment or Sentence of the said Commissioners, Sub-Commissioners, Collectors, or other Officers, shall make his, her or their Appeal unto the said Lord Lieutenant, Lord Deputy, or other Chief Governour or Governours and Privy Council of Ireland, or such as shall be appointed by Commission under the Great Seal pursuant to the said Laws, within the Space of Two Calendar Months next after such Sentence or Judgment shall be given, and in Default thereof, That no Appeal shall be afterwards Received.

And whereas it frequently happens that others Goods and Merchandizes are brought into His Majesties Store Houses for want of being Entered, and because the Duties are not Paid and Secured as the Law Directs, which Goods do often Remain there for so long a time that they become Perished and of no Value, whereby His Majesty hath lost the Duties Payable on the Imposition of the said Goods; For prevention thereof,

Be it Enacted by the Authority aforesaid, That, from and after the said first Day of April, which shall be in the Year of our Lord One thousand seven hundred and twenty six, the Commissioners of the Revenue, or any Three or more of them, the Collectors, or other Chief Officers of the Port for the Time being in those respective Districts, in all Cases where Goods are or shall be brought into His Majesties Store-Houses, for the Security of the Customs or other Duties Due thereon, shall cause all Goods so brought into His Majesties Store-Houses as aforesaid, which shall have remained there for the Space of Six Months, the Subsidies and Duties not Paid, or otherwise Secured as the Law Directs, to be Publickly Sold by Auction or Inch of Candle as soon as conveniently they can, and after such Sale, the Produce thereof shall be first Applied towards the Payment of the Customs and Duties Due thereupon, and in the next place the Charges of the Ware-House-Room, Freight and other Charges, and the Overplus shall be Paid to the Proprietor or other Persons Authorized to Receive the same.

Provided always, That before any such Sale of Goods shall be made, One Months Notice thereof, and of the Place, Day and Hour of making such Sale, shall Publickly be Posted up at the Custom-House, and also at the Tholose or Market-Place of the Port where the said Sale is to be made.

And be it further Enacted by the Authority aforesaid, That, from and after the Twenty fifth Day of April, One thousand seven hundred and twenty six, all and every Person and Persons who shall be found Passing knowingly and wilfully with any Excisable Goods or Commodities Landed from any Ship or Vessel without the due Entry and Payment of the Duties Chargeable thereon in his, her or their Customs from any of the Coasts of this Kingdom within the Space of Ten Miles of any of the said Coasts, and shall be five or more in Company, and shall Wear any Alford, Mask, or other Disguise, when Passing with such Goods or Commodities as aforesaid, shall, being Convicted thereof, be Deemed and Taken, and Adjudged Guilty of Felony, and shall for such his, her or their Offence be Transported as a Felon to some of His Majesties Plantations in America, there to remain for the Space of Seven Years; and in Case any such Offender or Offenders shall return to this Kingdom before the Expiration of the said Seven Years, he, she or they so Returning, shall Suffer as Felons, and have Execution Awarded against him, her or them, as Persons Attainted of Felony without Benefit of Clergy, or of the Statute.

Provided always, and be it Enacted by the Authority aforesaid, That if any Person who shall be Guilty of any Offence of Felony aforesaid, shall within Three Months after such his Offence, and before his Conviction, Discover Two or more of his Accomplices therein, to the Commissioners or Sub-Commissioners of His Majesties Revenue, or to any one or more of them, so as such Accomplices, in any two of them at least be Convicted of such Offence, the Offender so Discovering, shall be clearly Acquitted and Discharged of and from such his or her Offence.

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And whereas frequent Disputes do happen between the Merchants and Officers of the Customs touching and concerning Damaged Wines, the same depending for the most part on the Taste thereof.

And whereas such Corrupt Wines are highly Prejudicial both to His Majesties Revenue, and the Health of His Majesties good Subjects of this Kingdom; For the effectual preventing thereof,

Be it Enacted by the Authority aforesaid, That in Case any Merchant or other Person shall find his Wine, or any part thereof, in his Judgment so Damaged, Corrupt or Unmerchantable, as not to be Worth the Duties, in such Case such Merchant shall have Liberty immediately after the Landing the said Wines, to Stave and Spill the same in the Presence of such Officer or Officers as shall be appointed for that purpose by the Commissioners of His Majesties Revenue, or any Three or more of them, or the Collector or other Chief Officer of the Port where the said Wines shall be Imported, and that the Merchant so Staving and Spilling such Wine, shall be Repaid the whole Duty Paid by him for the same, without any Delay, Charge, Fee or Deduction, on any pretence whatsoever; and that in Order to Certifie the Quantity of Wine so Destroyed, the proper Officer appointed for Discharge of the Ship Importing the same, shall make an Entry thereof at the Foot of the Merchants Warrant.

And be it further Enacted by the Authority aforesaid, That, over and above the Duties Repaid as aforesaid, the Merchant or other Person shall for every Tunn of Wine of the Growth of Germany, or Wines which pay Duties as such, so Destroyed, be allowed as a Compensation for the Freight and other Charges the Sum of Four Pounds; And for every Tunn of Wine of the Growth of France, so Destroyed, the Sum of Forty Shillings; And for Wines of the Growth of Portugal, Spain, and elsewhere, the Sum of Six Pounds, and so proportionably for a greater or lesser Quantity, which Allowances shall without any Delay be Paid by Certificate out of the Duties Payable to His Majesty, and the proper Officer or Officers are hereby Required and Directed to Make and Pay such Certificate without Fee or Reward.

Provided, And be it Enacted by the Authority aforesaid, That any thing herein contained, or to be done in Execution thereof, shall not Extend or be Construed to Extend to Diminish or Lessen the Duties of Prize or Butlerage of Wines Due upon the Importation of the same, but that the same shall be Collected and Paid in the same manner as if this Act had never been made.

Provided also, And be it further Enacted, That no Allowance shall be made for any such Corrupt or Decayed Wine, unless such Wine shall be Imported in Casks directly from the Country or Place of the Growth of such Wine, or the usual Place of its first Shipping; but the same shall be Staved unless the full Duty be Paid for the same.

And whereas it frequently happens in several Ports of this Kingdom, that upon the Arrival of many Ships, at the same time there are not Officers of His Majesties Revenue sufficient in such Port or District, to take the Charge and Care of the said Ships upon them, by which means the Collector or other Chief Officer of such Port or District is obliged to Employ other Persons, and Place them in such Ships or Vessels for the better Collecting and Securing His Majesties Revenue.

And whereas such Persons so appointed are frequently Obstructed by the Masters of such Ships or Vessels, and other Evil Minded Persons, on pretence that such Persons so Deputed are not Legal and Commissioned Officers; for Remedy whereof,

Be it Enacted by the Authority aforesaid, That if any Master or other Person having the Charge of any Ship or Vessel, shall refuse to permit any Person or Persons Authorized or Deputed by any Writing Signed by the Collector or other Chief Officer of the Port or Place where such Ship or Vessel shall Arrive, to take the Care and Charge of such Ship or Vessel upon him or them, or to Enter into such his Ship, Vessel, Cabbard, Hoy, Barque or Boat, or remain on Board, or shall Lett, hinder or obstruct such Person or Persons so Deputed in doing or performing such Matters and Things as he or they shall be Authorized or Deputed to do or perform as aforesaid, the Master or other Person so Offending shall, for every such Offence Forfeit the Sum of fifty Pounds, to be recovered in manner as is Directed in and by an Act made in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for Settling the Excise and New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein Inserted.

And be it Enacted by the Authority aforesaid, That the Commissioners of Excise, or any Three or more of them, or the Sub-Commissioners of Excise respectively in their respective Districts, shall be, and are by this present Act Authorized and Required to Hear and Determine all Offences against any Clause or Article herein before mentioned, other than the Offences for which the Persons Convicted are liable to Transportation in a Summary Way, and to give Judgment and Sentence, and Levy the Fines, Penalties and Forfeitures thereupon, and such Fines, Penalties and Forfeitures shall go, and be Distributed in such Manner and Form in all respects as are prescribed in an Act made in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for Settling the Excise and New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein Inserted, with the like Remedy of Appeal to and for the Party Agrieved, as in and by the said Act is provided.

And whereas the Officers of His Majesties Revenue, and their Assistants, are very frequently Assaulted and Beaten in the Due and Legal Seizing and Securing of Exciseable Goods Imported into this Kingdom;

Run or endeavored to be Run, his Majesties Duties not Paid, or after Seizure, the same are frequently Rescued, or wilfully Destroyed or Damaged, to the End that neither his Majesty, or the Officer or Officers, or the Informer or Informers should Reap the Profits Arising from such Seizures according to the Laws of the Land; for Remedy thereof,

Be it Enacted by the Authority aforesaid, That from and after the first Day of April, One thousand seven hundred and twenty six, if any Person or Persons whatsoever, shall Unlawfully Assault or Beat any Officer or Officers of his Majesties Revenue, or his or their Assistant or Assistants, in the due Seizing or Securing any Exciseable Goods, Wares or Merchandizes, which he or they hath or have reasonable cause to suspect to be liable to a Seizure by the Laws of the Land, or by Force or Violence Rescue or Carry away, or shall procure to be Rescued or Carried away any such Goods, Wares or Merchandizes, after Legal Seizure as aforesaid, or shall at, or after such Seizure Destroy or Damage the said Goods, Wares or Merchandizes, or any part of them, that then in every such Case, every Person so Offending, being thereof Legally Convicted, shall for the first Offence Forfeit and Lose the Sum of One hundred Pounds, and upon Failure of Payment thereof, shall Suffer Imprisonment for the Space of Twelve Months; and for the Second Offence shall be Transported to some of his Majesties Plantations in America, there to continue for the Term of Seven Years.

Provided always, That this Act shall continue and be in Force until the Twenty fifth Day of March, which shall be in the Year of our Lord One thousand Seven hundred and twenty eight, and from thence to the End of the then next Session of Parliament, and no longer.

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An ACT to Prevent Marriages by Degraded Clergymen and Popish Priests, and for preventing Marriages Consummated from being Avoided by Precontracts, and for the more effectual Punishing of Bigamy.

CHAP. III.

WHEREAS Clandestine Marriages are for the most part Celebrated by Popish Priests and Degraded Clergymen, to the manifest Ruin of several Families within this Kingdom; For Remedy whereof,

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That if any Popish Priest, or Reputed Popish Priest, or Person pretending to be a Popish Priest, or any Degraded Clergyman, or any Layman pretending to be a Clergyman of the Church of Ireland as by Law Established, shall after the Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, Celebrate or take upon him to Celebrate any Marriage between two Protestants or reputed Protestants, or between a Protestant or reputed Protestant and a Papist, such Popish Priest, or reputed Popish Priest, and such Degraded Clergyman and Layman pretending to be a Clergyman, shall be, and is hereby declared to be Guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy, or of the Statute; And for the better Discovering and Convicting such Offenders,

Be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for any Two Justices of the Peace in their respective Counties, by Warrant or Warrants under their Hands and Seals, Directed to any Constable or Constables, to Summon any Person or Persons suspected to be Married by such Popish Priest or Degraded Clergyman, or Layman pretending to be a Clergyman of the Church of Ireland as by Law Established, or so have been present at the Celebration of such Marriage; to Appear before such Justices at the Time and Place in such Warrant mentioned, not being more than Ten Miles distant from his, her or their usual Place of Abode, and to Examine such Person or Persons upon Oath, where, and by what Person or Persons, and with what Form and Ceremonies such Marriage was Celebrated, and what Religion the Person or Persons so Married Professed, and who were present at such Marriage.

And if the Person or Persons so Summoned shall Neglect or Refuse to Appear according to such Summons, or shall refuse to be Examined as aforesaid, or after Examination, shall refuse to enter into a Recognizance to Prosecute at the next Assizes such Person or Persons as shall Appear by such Examination, to have Offended contrary the true intent

intent and meaning of this Act, such Person or Persons so refusing or neglecting to Appear, having no Lawful Impediment, or refusing to be Examined and Answer, or after Examination, refusing to Enter into Recognizance as aforesaid, shall be Committed by the said Justices to the common Goal of the said County, there to remain without Bail or Mainprize for the space of Three Years, unless he, she or they shall sooner Submit to be Examined as aforesaid before the said Justices of the Peace, or One of them, or in Case of their Absence or Refusal, before some other Justice of the Peace for the said County, and shall Enter into a Recognizance to Appear at the next General Assizes to be Held for the County where the Offence was committed, to Prosecute such Person or Persons as shall Appear by such Examination to have Offended contrary to the true Intent and Meaning of this Act, in which Case, it shall and may be Lawful to and for such Justice of the Peace by Warrant under his Hand and Seal Directed to the Goaler or Keeper of the said Goal, to Deliver and Discharge such Person or Persons out of the said Goal, and from his, her or their Commitment as aforesaid.

Provided, That no such Examination shall Subject the Party Examined to any Prosecution, Penalty or Forfeiture whatsoever, or be Admitted to be given in Evidence against the Person so Examined, unless such Person shall be Indicted for having committed wilful Perjury in such Examination.

And whereas some Doubts have Arisen whether Marriages Consummated by Carnal Knowledge can be avoided by Precontracts without Consummation, which has been the Ground of many vexatious Suits; For Remedy whereof, and to prevent all Doubts concerning the same for the future.

Be it Enacted and Declared, That no Contract of Marriage only, not Consummated by the Carnal Knowledge of the Parties, shall be of any Force towards making Void a Subsequent Marriage Consummated by such Carnal Knowledge.

And whereas by an Act made in the Reign of King Charles the First, Intituled, An Act for the Restraining of all Persons from Marriage till their former Wives and former Husbands be Dead: It is Enacted, That if any Person or Persons being Married, or which hereafter shall Marry, do at any time Marry any Person or Persons, to former Husband or Wife being alive, That then every such Offence shall be Felony, and the Person or Persons so Offending shall suffer Death as in Case of Felony.

And whereas divers Persons, having been found Guilty of such Offence, have yet Escaped the Punishment of Death by Claiming the Benefit of the Clergy or of the Statute, Be it Enacted by the Authority aforesaid, That from and after the first Day of November, One thousand seven hundred and twenty six, If any Person convicted of such Offence shall Claim the Benefit of Clergy, or of the Statute, and such Claim shall be by the Court allowed, such Person instead of being Burned in the Hand, shall by the said Court be Ordered to be Transported to some of His Majesties Plantations in America, and shall be Transported accordingly in such manner as Persons Convicted of a Capital Felony, are to be Transported.

An ACT for the better Re- gulating the Office of Sheriffs, and for the Ascertainning their Fees, and the Fees for Suing out their Patents, and Passing their Accounts.

CHAP. IV.

FOR the greater Ease of Sheriffs in the Execution of their Of-
fices, and Passing their Accounts,

Be it Enacted by the King's Most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal
and Commons in this present Parliament Assembled, and by the Au-
thority of the same, That the several Officers of His Majesties High
Court of Chancery, and Court of Exchequer in this Kingdom, and their
respective Substitutes, Deputies, Agents and Clerks, and all other Of-
ficers and Persons whatsoever, Having and Claiming any Fee or Re-
ward whatsoever from any Sheriff, Deputy-Sheriff or Sub-Sheriff,
for making out his or their Patents or Commissions, or the Dedimus
for Swearing them into their Office, or for Entering their Recognizance
or Security, or for Writing out and Return of their Writs,
or for their Appraisals or Calling out of Court, or for Passing their
Accounts, or for making their Quittus est, or for any other Matter or
Thing touching or concerning their Sherifffalty, may, from and after
the Twenty Fifth Day of April, in the Year of our Lord One thou-
sand seven hundred and twenty six, severally and respectively for them-
selves and the Persons for whom they Act or Officiate, Take and Re-
ceive for their Pains and Service in the Matters aforesaid, the several
Fees or Sums of Money in the Schedule or List hereafter mentioned
and specified over and besides the Allowance on the Establishment; All
which Fees in the said Schedule mentioned, the said several Officers,
Deputies, Clerks, and other Persons, may Claim, Take and Receive
from time to time, and shall not Demand, Take or Receive any other
or greater Fee or Reward whatsoever, in any wise touching or con-
cerning the Premises in the said Schedule mentioned, or any other
Matter or Thing relating to the Patent, or Swearing of any Sheriff
of any County mentioned in the said Schedule, or to the Passing of his
Accounts, and if any Person shall Offend therein, such Person shall For-
feit to the Party Agrieved Five Pounds, and Treble the Sum by him
Taken over and above the just Fees mentioned in the said Schedule, toge-
ther

ther with his Treble Costs, all which shall be Ordered, Awarded and Given to the Party Agrieved, by the Court of Exchequer, on Complaint and Proof of such Offence made and Exhibited before the Barons of the said Court, in such short and Summary Way and Method as to them shall seem meet.

And be it Enacted by the Authority aforesaid, That, from and after the Twenty fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, all Sheriffs who shall Levy any Debts, Duties, or Sums of Money whatsoever, (except Post Fines) Due, or hereafter to be Due to His Majesty, His Heirs or Successors, by Process to them Directed upon the Summons of the Pipe or Green War by Levati Facias out of the Court of Exchequer, shall from time to time for their Care, Pains, and Charges, and for their Encouragement therein, have an Allowance upon their Accounts of Twelve Pence out of every Twenty Shillings for any Sum not exceeding One Hundred Pounds so by them Levied or Collected, and the Sum of Six Pence only for every Twenty Shillings over and above the first Hundred Pounds, and for all Debts, Duties and Sums of Money (except Post Fines) Due, or to become Due to His Majesty, His Heirs and Successors, by Process and Fieri Facias, and Extent Issuing out of any of the Offices of the said Court of Exchequer, the Sum of One Shilling and Six Pence out of every Twenty Shillings, for any Sum not Exceeding One Hundred Pounds so by them Levied or Collected, and the Sum of Twelve Pence only for every Twenty Shillings over and above the first Hundred Pounds.

Provided always, such Sheriff shall duly answer for the same upon his Account, by the Day on which he ought to be Dismissed the Court, or in such time to which he shall have a Day granted by the Court to finish his Account, and not otherwise.

And be it Enacted by the Authority aforesaid, That no Sheriff or Sub-Sheriff shall be Attached or Taken into Custody by any Officer of the Court of Exchequer, or other Person whatsoever, for not being Apposed on any Writ or Process for not finishing his Accounts in due time, or for any Contempt or Neglect whatsoever relating to his Account, but by Writ under the Seal of the said Court of Exchequer, or by Warrant for that purpose to be signed by the Lord Chief Baron of the said Court for the Time being, or in his Absence by either of the other Barons, to be Executed by the Pursuant of the said Court, or his Deputy, in which Warrant, the Name of such Sheriff or Sub-Sheriff shall be particularly inserted, and his Offence particularly specified and expressed.

And be it Enacted by the Authority aforesaid, for preventing Delays and unnecessary Attendants of Sheriffs in Passing their Accounts, That, from and after the Twenty fifth Day of April, One thousand seven hundred and twenty six, if any Officer, Clerk, or other Person concerned in or about the Passing Sheriffs Accounts, shall wilfully retard or hinder any Sheriff in the Passing his Accounts, or by his wilful Neglect, Absence, or other undue Means or Ways prevent any Sheriff from being Apposed or Cast out of Court in due time, or after Payment

Payment or Tender of his or their due Fees herein Ascertained, shall refuse or neglect to Imroll, Make out, Sign and Deliber his Quertus in due time, in every such Case the Persons so Offending shall make such Satisfaction and recompence to the Party Agrieved as shall be Adjudged, Ordered or Decreed by the Barons of the Court of Exchequer, upon Complaint thereof Made and Exhibited before them in such Manner and Summary Way and Method as to them shall seem meet.

And whereas great Inconveniencies have Arisen by the Death of Sheriffs during the time of their Sheriffsalty,

Be it Enacted by the Authority aforesaid, That if any High Sheriff of any County of this Kingdom shall happen to Dye before the Expiration or Determination of his Year, or before he be lawfully Succeeded, in such Case the Under-Sheriff or Deputy Sheriff by him appointed shall nevertheless continue in his Office and shall Execute the same, and all things belonging thereunto in the Name of the said Deceased Sheriff, until another Sheriff be appointed for the said County, and Sworn in manner as is herein after Directed; And the said Under-Sheriff or Deputy-Sheriff shall be answerable for the Execution of the said Office in all things, and to all respects, intents and purposes whatsoever during such Interval as the High Sheriff so Deceased would by Law have been if he had been Living, and the Security given to the High Sheriff so Deceased by the said Under-Sheriff and his Pledges, shall stand, remain, and be a Security to the King, His Heirs and Successors, and to all Persons whatsoever, for such Under-Sheriffs due performance of his Office during such Interval.

And whereas the Office of Sub-Sheriff or Under-Sheriff, and other Offices and Places in the Disposal of the High Sheriff, have of late Years been frequently Sold and Lett to Farm, whereby many great Inconveniencies have happened to the Subjects of this Kingdom by the Oppressions and Exactions of Sub-Sheriffs or Under-Sheriffs, Bailiffs, and other Officers concerned in the Execution of the King's Process; For Remedy whereof,

Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, it shall not be lawful to or for any Person or Persons whomsoever to Buy, Sell, Lett or Take to Farm the Office of Sub-Sheriff or Under-Sheriff, Deputy-Sheriff, Seal-keeper, County Clerk, Shire Clerk, Goalcr, Bailiff, or any other Office or Place pertaining to the Office of High Sheriff of any Countiees or Shires of this Kingdom, or to Contract for, Promise or Grant, for Money, or other Reward or Benefit, the said Offices or Places, or any of them, or to Give, Take, Promise or Receive any other Consideration whatsoever for the said Offices, or any of them, directly or indirectly by themselves, or any Person in Trust for them or for their Use, and whatsoever shall Offend therein, shall Forfeitt the Sum of five Hundred Pounds, a Moiety whereof to His Majesty, His Heirs and Successors, and the other Moiety thereof to such Person or Persons as shall sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Dublin, in which no Coin, Protection, or Wager of Law shall be allowed, nor any more than

than one Imparlance: Prohibited, That such Suit be Commenced within Two Years after such Offence Committed, and not otherwise.

Prohibited, That nothing herein before contained shall any ways hinder or prevent such High Sheriff from Constituting and Appointing a Sub-Sheriff, Under-Sheriff or Deputy-Sheriff to Act in his stead as by Law he ought to do, nor to hinder the Sub-Sheriff or Under-Sheriff, in Case of the High Sheriffs Death when he Acts as High Sheriff, from Constituting or Appointing a Deputy, which he is hereby Impowered to do, nor to hinder, Prevent or Abridge such Sheriff, Sub-Sheriff or Under-Sheriff from Demanding, Taking or Receiving the Just and Lawful Fees and Perquisites of the Office of Sheriff, or any Place or Employment pertaining thereunto, or nominating or appointing any such Officer, or from taking Security for the due Answering the same, nor to Discharge, hinder or Prevent such Sub-Sheriff, Under-Sheriff, Deputy-Sheriff, Seal-keeper, County Clerk, Shire Clerk, Goaler, Bailiff, or other Person Having or Executing any Place or Office under such Sheriff from Accounting to the High Sheriff for all such Just and Lawful Fees and Perquisites as shall by them or any of them be Taken and Received in their respective Offices, Places and Employments, nor for giving Security so to do, nor to hinder or Prevent the High Sheriff from Allowing or Securing such Salary or Recompence to his Sub-Sheriff or Under-Sheriff, Deputy-Sheriff, Seal-keeper, County Clerk, Shire Clerk, Goaler, Bailiff, or other Officer for the Execution of the said Offices, Places or Employments, or any of them, as to him shall seem meet, nor to hinder or Prevent the Under-Sheriff, Deputy-Sheriff, Seal-keeper, or other Officer or Person aforementioned from Taking and Receiving such Salary or Recompence for his or their Pains and Services therein.

And for the more effectual Enforcing and Obliging the respective Clerks of Assize, Clerks of the Peace, or other Persons to whom it doth or may belong, to make Return of Cereats into the Court of Exchequer, to Make out and Deliver their respective Cereats, Duplicates, Certificates and Schedules in due time, so that the Sheriffs may be not hindered or retarded in the passing their Accounts for want of the said Cereats.

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the Barons of the Court of Exchequer from time to time to Amerce such Clerk of Assize, Clerk of the Peace, or other Person to whom it doth or may belong, to make Returns of Cereats into the said Court of Exchequer, for refusing, neglecting or omitting to perform and do his or their Duty in returning the said Cereats, and to cause the said Amerciaments to be Levied and Answered by such Ways and Means, and in such Manner as other Amerciaments set in the said Court, may or have been used to be done.

And for preventing of Oppressions and Injuries which may happen to His Majesties Subjects by the Abuse of Sheriffs, Sub-Sheriffs, Bailiffs, and others Employed in Levying and Collecting any Debts, Duties, or Sums of Money Due, or hereafter to become Due to His Majesty, His Heirs or Successors, by Process of the Court of Exchequer.

And

Be it Enacted by the Authority aforesaid, That no Sheriff, Sub-Sheriff or Under-Sheriff, Bailiff, or other Person Employed in Levying or Collecting any the said Debts, Duties or Sums of Money, shall Take, Ask or Receive any Fee, Gratuity or Reward whatsoever of the Person or Persons liable to Pay the said Debts, Duties or Sums of Money, or of any other Person for or upon pretence of such Levying or Collecting, except the Sum of four Pence only for an Acquittance for such Sum as shall be so Levied or Collected, which Acquittance, such Officer is hereby required to give and deliver to the Person upon or from whom such Debts shall be Levied or Collected, or Received, and the Bailiff or other Person Receiving such Debt or Sum of Money shall from time to time Answer and Account for the same to the Sheriff or his Sub-Sheriff, or Deputy, and may require also an Acquittance from such Sheriff or his Deputy for such Sum, who are hereby required to give the same without any Fee or Reward, of, and from which Debts and Sums of Money so Levied, Collected or Received as aforesaid, the said Sheriffs and every of them, shall effectually Discharge the said Debtors and Persons respectively by Toting and Answering the same to His Majesty, His Heirs and Successors, upon their respective Accounts in the Exchequer; And in Case any Sheriff, Sub-Sheriff, Under-Sheriff, or Deputy-Sheriff shall Nihil, or not duly Answer to the Crown any Debt or Sum of Money so Levied, Collected or Received, such Sheriff, Sub-Sheriff, Under-Sheriff or Deputy-Sheriff, for every such Offence shall forfeit Treble Damages to the Party Agrieved, and double the Sum which is Nihil or not duly Answered as aforesaid, which said Damages and Penalty shall be Ordered, Decreed and given to the Person Agrieved by the Court of Exchequer, on Complaint and Proof of such Abuse as aforesaid, Made and Exhibited before the Barons of the said Court in such Manner and Summary Way and Method as to them shall seem meet; And in Case any Sheriff, Under-Sheriff, Deputy-Sheriff, Bailiff, or other Person shall presume to Demand, Take or Receive any Sum or Sums of Money whatsoever, be the same more or less, of any Person whatsoever, from whom any Debt or Sum of Money is or shall be Due or Payable to the Crown by Process out of the Court of Exchequer, for or in respect, or upon pretence of Executing the said Process, or for, or in respect, or upon pretence of Fees due to them or any of them, for Collecting or Receiving the same contrary to the true Intent and Meaning of this Act, or if any of the Officers or Persons aforesaid shall Demand, Take and Receive any Sum or Sums of Money whatsoever for not Levying, or forbearing to Levy any Debts, Duties, or Sums of Money, which are or shall be Due to his Majesty, His Heirs and Successors, and Written out to them or any of them, by the Process aforesaid; In all and every such Case every Person so Offending, and being thereof Lawfully Convicted, shall be Adjudged, Deemed and Taken to be Guilty of Extortion, Injustice and Oppression, and all and every such Person and Persons being thereof Lawfully Convicted, shall forfeit for every such Offence Treble Damages and Costs to the Party Agrieved, and double the Sum so Extorted; All which Damages and Penalties shall be Ordered, Decreed and Given by the Barons of the Court of Exchequer, upon

upon Complaint and Proof of such Extortion Made and Exhibited before them, in such Manner and Summary Way or Method as to them shall seem meet as aforesaid, Provided such Conviction be had and made within Two Years after such Offence committed, and not otherwise.

Provided, That nothing in this Act contained shall be Construed to deprive any Sheriff of such Poundage or Allowance as is allowed and given to them by Vertue of this or any other Act of Parliament made in this Kingdom, but that the said Sheriffs shall and may Enjoy the full Benefit and Advantage of such Poundage or Allowance without any Impeachment or Possession whatsoever, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That whatever Orders or Decrees shall be made by the Barons of the Exchequer for Costs, Damages and Penalties in the Cases aforesaid mentioned, or any of them, or in any other Case in this Act hereafter mentioned, by Vertue and in pursuance of this Act in such Manner and Summary Way and Method as is herein before Directed and Prescribed, shall have the same Effect, Force and Vertue to all intents and purposes as any other Order or Decree of the same Court, and the said Costs, Damages and Penalties, shall be Raised, Levied and Obtained by such Process, Ways and Methods as are used in the said Court, to Enforce a Compliance with any other Orders or Decrees of the same Court.

And be it further Enacted by the Authority aforesaid, That instead of the Oath usually Administred to the Sheriffs of this Kingdom at the Entering upon their Offices, the following Oath shall be Taken by them, and each of them respectively.

I A. B. Do Swear, That I will Well and Truly Serve the King's Majesty in the Office of Sheriff of the County of _____ and promote His Majesty's Profit in all things that belong to my Office as far as I legally can or may: I will Truly preserve the King's Rights and all that belongeth to the Crown, I will not Assent to Lessen or Conceal the King's Rights, or the Rights of His Franchises, and whensoever I shall know that the Rights of the Crown are concealed or withdrawn, be it in Lands, Rents, Franchises, Suits or Services, or in any other Matter or Thing, I will do my utmost to have them restored to the Crown again, and if I may not do it my self, I will Certifie and Inform the King thereof, or some of his Judges: I will not Respite or Delay to Levy the Kings Debts for any Gift, Promise, Reward or Favour, where I may Raise the same without great Grievance to the Debtors: I will do Right as well to Poor as to Rich, in all things belonging to my Office: I will do no Wrong to any Man for any Gift, Reward or Promise, nor for Favour or Hatred: I will Disturb no Mans Right, and will Truly and Faithfully Acquit at the *Exchequer* all those of whom I shall Receive any Debts or Duties belonging to the Crown: I will take nothing whereby the King may Lose, or whereby his Right may be Disturbed, Injured or Delayed: I will truly Return and Truly Serve all the King's Writs according to the best of my Skill and Knowledge: I will take no Bailiffs into my Service but such as I will Answer for, and will cause each of them to take such Oaths as I do in what belongeth to their Business and Occupation: I will Truly Set and Return reasonable and due Issues

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of them that be within my Bailiwick according to their Estate and Circumstances, and make due Pannels of Persons able and sufficient, and not suspected or procured, as is appointed by the Statutes of this Realm: I have not Sold nor Lett to Farm, nor Contracted for, nor have I Granted or Promised for Reward or Benefit, nor will I Sell or Lett to Farm, nor Contract for, or Grant for Reward or Benefit by my self, or any other Person for me or for my use, Directly or Indirectly, my Sheriffwick, or any Bailiwick thereof, or any Office belonging thereunto, or the Profits of the same to any Person or Persons whatsoever: I will Truly and Diligently Execute the good Laws and Statutes of this Realm, and in all things Well and Truly Behave my self in my Office for the Honour of the King, and the good of his Subjects, and Discharge the same according to the best of my Skill and Power.

So help me God.

And be it further Enacted by the Authority aforesaid, That the following Oath shall be taken by all Sub-Sheriffs or Under-Sheriffs of any County of this Kingdom, before they Enter upon the Execution of their Offices, Vizt.

I A. B. Do Swear, That I will Well and Truly Serve the King's Majesty in the Office of Under-Sheriff of the County of S. and Promote His Majesty's Profit in all things that belong to the said Office, as far as I Legally can or may: I will Preserve the King's Rights and all that belongs to the Crown, I will not Assent to Lessen or Conceal the King's Rights, or the Rights of His Franchises, and whensoever I shall know that the Rights of the Crown are concealed or withdrawn, be it in Lands, Rents, Franchises, Suits or Services, or in any other Matter or Thing, I will do my utmost to make them to be restored to the Crown again, and if I may not do it my self, I will Certifie and Inform some of His Majesties Judges thereof, I will not Respite or Delay to Levy the King's Debts for any Gift, Promise, Reward or Favour, where I may Raise the same without great Grievance to the Debtors: I will do Right as well to Poor as to Rich, in all things belonging to my Office: I will do no wrong to any Man for any Gift, Reward or Promise, nor for Favour or Hatred: I will Disturb no Mans Right, and will Truly and Faithfully Acquit at the *Exchequer* allt hose of whom I shall Receive any Debt, Duties or Sums of Money belonging to the Crown: I will take nothing whereby the King may Lose, or whereby his Right may be Disturbed, Injured or Delayed: I will Truly Return and Truly Serve all the Kings Writs to the best of my Skill and Knowledge: I will Truly Set and Return Reasonable and due Issues of them that be within my Bailiwick, according to their Estates and Circumstances, and make due Pannels of Persons able and sufficient, and not suspected or procured, as is appointed by the Statutes of this Realm: I have not Bought, Purchased or Taken to Farm, or Contracted for, nor have I Promised or Given any Consideration, nor will I Buy, Purchase or Take to Farm, or Contract for, Promise or Give any Consideration whatever by my self or any other Person for me, or for my use, directly or indirectly to any Person or Persons whatsoever, for the Office of Under-Sheriff for the County of S. which I am now to Enter upon and En-

joy, nor for the Profits of the same, nor for any Bailiwick thereof, or any other Office or Place belonging thereunto: I have not Sold or Contracted for, or Lett to Farm, nor have I Granted or Promised for Reward or Benefit by my self or any other Person for me, or for my use, directly or indirectly, any Bailiwick thereof, or any other Place or Office belonging thereunto: I will Truly and Diligently Execute the good Laws and Statutes of this Kingdom, and in all things Well and Truly Behave my self in my said Office, for His Majesties Advantage, and for the good of His Subjects, and Discharge my whole Duty according to the best of my Skill and Power.

So help me God.

And be it Enacted by the Authority aforesaid, That the said several Daths appointed to be Taken by the High Sheriff, Sub-Sheriff, and Under-Sheriff, shall be Given and Administred by such Commissioners as shall be Named or Authorized to Administer the foregoing Dath to the High Sheriff as aforesaid in the County, when and so often as a Commission or Dedimus shall be Sued forth of the proper Court for that purpose, or by the Barons of the said Court of Exchequer, or one of them, when the said Sheriffs shall desire to be Sworn in Town.

And for the better Impannelling and Returning of able Men and sufficient Free-Holders on Juries,

Be it Enacted by the Authority aforesaid, That from and after the said Twenty Fifth Day of April, the Sheriffs of each County in this Kingdom, shall, at their Michaelmas Grand Turn Pearly, and every Year for ever hereafter in every Barony in their several Counties, diligently Inquire by the Dath of Twelve or more Honest Men, which Dath such Sheriff or their Sub-Sheriffs are Impowered by Vertue of this Act to Administer, and make a True Return of all the Free-holders having Free-hold Lands or Tenements of the Pearly Value of Forty Shillings per Annum, or more, of each Barony in each County, together with the Name and Sir-Name of every such Free-holder in each Barony, in all and every the Counties in this Kingdom, with their Additions, and shall Return the same on Dath Signed by him at every January Quarter-Sessions of the Peace, to the then Justices of the Peace there Sitting, to be Deposited by them in the Hands of the Clerk of the Peace of each County, or his Deputy, Pearly, and that the Clerk of the Peace of each County, or his Deputy, shall Return, Transmit, and Deliver a True Copy thereof Signed by him into each of His Majesties Four-Courts at Dublin, and in Case any Sheriff, Sub-Sheriff, or Clerk of the Peace, or his Deputy, shall neglect or refuse to do his or their Duty therein, such Sheriff, Sub-Sheriff, Clerk of the Peace or his Deputy, for every such neglect or refusal, shall forfeit to His Majesty, His Heirs and Successors, the Sum of five Pounds, to be Recovered in a Summary Way before the Judges or Justices of that Court to which such Return ought to have been made.

The

The SCHEDULE or LIST in the ACT mentioned.

**A SCHEDULE of FEES to be Paid for Passing the
Patents of the several Sheriffs of the several Counties in the
Kingdom of Ireland.**

**To the Secretary to the Lord Lieutenant or other Chief
Governour or Governours of this Kingdom for the time
being.**

FOR Warrant for the Patent, One Pound Six
Shillings ————— } 01 06 00
To his Clerk, Five Shillings and Five Pence ——— } 00 05 05

To the Lord Chancellor's Secretary,

FOR the Warrant to the Hanaper, Thirteen Shillings
and Six Pence ————— } 00 13 06

*To the Clerk of the Crown and Hanaper, to be
Distributed, Vizt.*

Kings Silver, Ten Shillings ————— } 00 10 00

Lord Chancellor, Two Shillings ————— } 00 02 00

**His own Fee for Engrossing the Patent, Two Pounds Two
Shillings and Eight Pence** ————— } 02 02 08

To his Clerk, Five Shillings and Five Pence ——— } 00 05 05

**To the Pursivant of the Court of Chancery, Six Shillings
and Eight Pence** ————— } 00 06 08

**To the Lord Chancellors Purse-Bearer, Three Shillings and
Six Pence** ————— } 00 03 06

To the Lord Chancellors Train-Bearer, Five Shillings ——— } 00 05 00

To the Lord Chancellors Porter, One Shilling ————— } 00 01 00

Chaff Wax, Two Shillings ————— } 00 02 00

Three Pounds Eighteen Shillings and Three Pence ——— } 03 18 03

To the Chief Baron and his Clerk.

FOR taking the Recognizance, Fifteen Shillings and
Ten Pence ————— } 00 15 10

To the Chief Remembrancer, for Entering the Recogni- }
zance, Two Shillings and Six Pence ————— } 00 02 06

Total of the said Fees for Passing the Patent of the High }
Sheriff of the County of Antrim, Seven Pounds One Shilling } 07 01 06
and Six Pence —————

The County of Armagh	the like.
The County of Catherlogh	the like.
The County of Cavan	the like.
The County of Clare	the like.
The County of Cork	the like.
The County of Donnegall	the like.
The County of Down	the like.
The County of Dublin	the like.
The County of Fermanagh	the like.
The County of Galway	the like.
The County of Kerry	the like.
The County of Kildare	the like.
The County of Killkenny	the like.
The County of Leitrim	the like.
The County of Limerick	the like.
The County of Longford	the like.
The County of Lowth	the like.
The County of Mayo	the like.
The County of Meath	the like.
The County of Monaghan	the like.
The Queen's County	the like.
The King's County	the like.
The County of Roscommon	the like.
The County of Sligoe	the like.
The County of Tipperary	the like.
The County of Tyrone	the like.
The County of Waterford	the like.
The County of West-meath	the like.
The County of Wexford	the like.
The County of Wicklow	the like.

**A Schedule of Fees to be Paid by the Sheriffs of the
several Counties of Ireland, for Passing their seve-
ral Accounts.**

To the Auditor-Generals Clerk, over and above the Al- }
lowance on the Establishment, Six Shillings and Eight } 00 06 08
Pence —————

To

To the Secondaries and Clerks, to the Clerk of the Pipe, over and above the Allowance on the Establishment, for making up the great Roll for the Sheriffs Appofal, and making out the Sheriffs *Quietus est*, One Pound Two Shillings and Four Pence ————— } 01 02 04

To the Clerks in the Office of the Computroler of the Pipe, over and above the Allowance on the Establishment, Eleven Shillings and Eight Pence ————— } 00 11 08

To each of the Barons Clerks on Signing the Transcript, Two Shillings and Six Pence ————— } 00 07 06

To the Clerk and Secondaries in the Chief and Kings Remembrancer's Office, over and above the Allowance on the Establishment, Three Shillings and Four Pence ————— } 00 03 04

To the Clerks and Secondaries in the Second and Treasurers Remembrancer's Office, over and above the Allowance on the Establishment, One Pound ————— } 01 00 00

To the Clerks and Secondaries in the Clerk of the First Fruits Office, over and above the Allowance on the Establishment, Three Shillings and Four Pence ————— } 00 03 04

To the Clerk and Secondaries in the Foreign Apposer's Office, over and above the Allowance on the Establishment, Six Shillings and Eight Pence ————— } 00 06 08

To the Clerks and Secundaries in the Summonisters Office, over and above the Allowance on the Establishment, One Pound Ten Pence ————— } 01 00 10

To the Cryer of the *Exchequer* on the Sheriffs Appofal, Two Shillings and Six Pence ————— } 00 02 06

To the Keeper of the Court of *Exchequer*, One Shilling and a Penny ————— } 00 01 01

To the Tip-Staff of the Court of *Exchequer*, One Shilling and a Penny ————— } 00 01 01

Total of the said Fees for Passing the Accounts of the High Sheriff of the County of *Antrim*, Five Pounds Seven Shillings ————— } 05 07 00

The County of Armagh
The County of Catherlogh
The County of Cavan
The County of Clare
The County of Cork
The County of Donnegall
The County of Down
The County of Dublin
The County of Fermanagh
The County of Galway
The County of Kerry
The County of Kildare

the like.
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the like.
The

The County of Kilkenny
The County of Leitrim
The County of Limerick
The County of Longford
The County of Lowth
The County of Londonderry
The County of Mayo
The County of Meath
The County of Monaghan
The Queen's County
The King's County
The County of Roscommon
The County of Sligo
The County of Tipperary
The County of Tyrone
The County of Waterford
The County of Westmeath
The County of Wexford
The County of Wicklow

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**An Act for Explaining and Amending
an Act, intituled, An Act for Continuing and
Amending of the Laws in Relation to Butter
and Tallow, and the Casks in which such
Goods are to be made up, and in Relation to
the Curing of Hides, and making up of Beef
and Pork for Exportation, and for preventing
the Destruction of Salmon.**

C H A P. V.

WH E R E A S an Act passed in the Tenth Year of His present Majesties Reign, Entituled, An Act for Continuing and Amending of the Laws in Relation to Butter and Tallow, and the Casks in which such Goods are to be made up, and in Relation to the Curing of Hides, and making up of Beef and Pork for Exportation, and for preventing the Destruction of Salmon: And the several other Laws already made to prevent Frauds and Abuses in Packing and Making up of Butter and Tallow, and Weighing and Making up of Salt Hides, have not had their due Effect.

Be it Enacted by the Kings Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That, from and after the Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, every Cask wherein Tallow shall be Made up or Packed, shall have thereon Twelve sufficient Hoops of a Size proportionable to such Cask, and no more, and every Chandler or other Person that shall Make up or Pack Tallow in any such Cask, from and after the said Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, shall fix or Brand the first Letter of his Christian Name and his Surname at length, with the Place of his Abode upon every such Cask; And that any Person who shall Sell or Expose to Sale, Export, or Attempt to Export, or that shall Buy any Cask or Casks of Tallow, that shall have thereon more or fewer than twelve Hoops of proper Size for such Cask, or that shall not be Branded with the Persons Name and Place of Abode that Made up or Packed such Tallow as aforesaid, knowing the same, being thereof Lawfully Conblated before the Chief Magistrate of the Place, or a Justice of the Peace of the County or Division where such Offence shall be committed, by the

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Oath of One or more Credible Witnesses or Witnesses, which Oath such Chief Magistrate or Justice of the Peace is hereby Impowered to Administer, or by the Confession of the Party, shall for such Offence Forfeit the Sum of Five Shillings for every such Cask so Bought, Sold or Exported to Sea, Exported, or Attempted to be Exported, as aforesaid, to be Levied and Raised by Warrant under the Hand of such Chief Magistrate or Justice of the Peace, by Distress and Sale of the Goods of the Offenders, which Warrant the said Chief Magistrate or Justice of the Peace is hereby Required and Impowered to Issue, One moiety of which forfeiture shall go to the Poor of the Parish where such Offence was committed, and the other to the Informer, and whatever shall remain of the Price of such Goods shall be given to the Party whose Goods were so Distrained, and for want of such Distress, the Offender shall be committed to Goal, there to remain without Bail or Mainprize for any time not exceeding Ten Days.

And be it Enacted by the Authority aforesaid, That, from and after the said Twenty fifth Day of April, One thousand seven hundred and twenty six, no Person or Persons shall Buy or Sell for Exportation any Tallow or Butter made up in Casks within any City, Town, Liberty or Division, where there are Weigh-Masters or their Deputies appointed pursuant to this, or the said former Act or Acts, such Tallow or Butter not being Weighed and Branded by such Weigh-Masters or their Deputies; And if any Person or Persons shall so Do, such Person or Persons so Offending being thereof Lawfully Convicted in manner before mentioned, shall Forfeit the Butter or Tallow so Bought or Sold, to be Distributed in manner aforesaid.

And whereas great Abuses are committed by Persons Packing up Butter and Tallow in Casks which have been formerly filled with Butter and Tallow, and Branded by Weigh-Masters for being Merchandisable Goods; For Remedy thereof,

Be it Enacted by the Authority aforesaid, That, from and after the Twenty fifth Day of April, One thousand seven hundred and twenty six, where any Cask or Casks of Butter or Tallow have been once Tied or Marked by the proper Weigh-Masters or their Deputies pursuant to the former Act or Acts, and such Cask or Casks have been Emptyed, any Person or Persons who shall Pack up or Pack Butter or Tallow in such Cask or Casks, without having the same Weighed, Marked and Branded a new pursuant to the Method appointed by the said former Act or Acts for Weighing, Marking or Branding Casks wherein Butter and Tallow is to be made up or Packed, shall, for every such Cask that he shall so Pack or Pack up any Tallow or Butter in, Forfeit the Sum of Ten Shillings, to be Recovered, Raised and Distributed in such Manner as is herein before appointed.

And be it Enacted by the Authority aforesaid, That when ever any Tallow or Butter Casks, or Tallow or Butter are brought before the Chief Magistrate or Justice of the Peace by any Weigh-Master or Weigh-Masters, or their Deputy or Deputies, or appearing to him or them to be Unmerchandisable pursuant to the said former Act, the said Justice

Justice or Chief Magistrate is hereby Required and Impowered to Issue a Summons in Writing to the Person or Persons that brought the same to be Weighed and Tried, or to the Person to whom the said Goods shall belong, to appear before him and Attend such Trial, and if such Person or Persons shall refuse or neglect to appear according to such Summons in Ten Days after such Summons or Notice, the said Justice or Chief Magistrate, is hereby Required and Impowered to Act and Proceed as in and by the said former Act is Directed; And in Case the said Justice or Chief Magistrate upon Viewing and Trying the same, shall have any Doubt of the Quality of the said Goods, it shall and may be Lawful to and for such Justice or Chief Magistrate to Summon Two able Merchants of the Place, and Two other Persons knowing and Skilled in such Commodities respectively, to Examine in Relation to the Quality of the said Goods according to the said former Act; And if such Merchants or other Persons shall neglect or refuse to Attend upon such Summons according to the said former Act without Assigning forthwith some sufficient or Special Cause for his or their not Attending or being Examined, every such Merchant or other Person so neglecting or refusing, shall forfeit the Sum of Ten Shillings, to be Recovered and Debted in such Manner and Form as is therein before mentioned, and Distributed among the Poor of such Parish where such Goods were Seized.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons after the Twenty Fifth Day of April, One thousand seven hundred and twenty six, to Make, Buy or Sell any Empty Cask or Casks for Packing Butter for Sale, or Export or to Make up, and Pack Butter in any Cask or Casks of good Seasoned Beech, Birch, Willow or Sallow, whereof no part is of Bogg-Clamber, as well as of Oak, Ash or Spruce, so as the same be made Tight according to the Federal Regulations laid down in the former Act, any thing in the said former Act to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That no Person or Persons shall Buy or Sell any Empty Cask or Casks for Packing Butter for Sale, or Export, unless such Empty Cask or Casks be made according to the following Contents, (Vizt.) No Cask shall contain less than Half an Hundred, and no Cask more than Three Hundred of neat Butter, and every Weigh-Seller or Weigh-Master shall Brand every such Cask containing above Two Hundred Weight of Butter with the Mark, that such Cask shall Really and Truly Weigh, allowing at the Rate of Four Pounds Weight for every Hundred for Soakage.

And be it Enacted by the Authority aforesaid, That every Cooper who shall make any Cask or Casks for Packing Butter for Sale, or Export, shall Brand on every such Cask the full Name of his Christian Name, and his full Name at length, with the Place of his Abode; And in case any Cooper shall make any Cask for Packing Butter for Sale or Export, other than of good Seasoned Oak, Ash, Spruce, Beech, Birch, Willow or Sallow, he shall not Brand the

same as is before Directed, such Copper shall forfeit for every such Cask the Sum of five Shillings, to be Recovered, Levied and Distributed in manner aforesaid; And in case any Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, shall Weigh or Brand any Cask for Packing of Butter not Waxed and Branded as aforesaid, such Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, shall forfeit the Sum of Twenty Shillings for every such Cask, to be Recovered, Levied and Distributed in manner aforesaid.

And whereas great Inconveniencies have arisen from the Weigh-Masters or their Deputies, Branding the Cask on Butter and Tallow Casks, by Packing the same with Numeral Letters.

Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, One thousand seven hundred and twenty six, no Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, shall Brand the Cask on Butter or Tallow Casks with Numeral Letters, but instead thereof shall make use of Figures in Branding such Casks; And in case any Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, shall after the said Twenty fifth Day of April, One thousand seven hundred and twenty six, make use of Numeral Letters in Branding the Cask on Butter and Tallow Casks, he or they shall for every such Offence forfeit the Sum of five Shillings, to be Recovered, Levied and Distributed in manner aforesaid.

And whereas there has and may arise great Inconveniencies from Weigh-Masters or their Deputies, Buying or Selling Butter, Tallow, Green or Salt Hides, at their respective Weigh-Houses.

Be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, One thousand seven hundred and Twenty six, no Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, or any other Person in Trust for him, them, or any of either of them appointed by this or the former Act, or in pursuance thereof for Weighing Butter, Tallow, Green or Salt Hides in any City or Town Corporate, or in any Place of Export, shall Buy, Sell, Contract or Treat for, at their respective Weigh-Houses any Butter, Tallow, Green or Salt Hides in such City or Town Corporate, or Place of Export, where such Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, shall be appointed pursuant to this or the former Act, until such Butter, Tallow, Green or Salt Hides shall be Legally Weighed and Branded, Discharged and Carried off from such Weigh-House; And in case any Weigh-Master or Weigh-Masters, his or their Deputy or Deputies, or other Person in Trust for him, them, or any of them, shall Buy, Sell, Contract or Treat for any Butter, Tallow, Green or Salt Hides, in any City or Town Corporate, or Place of Export, where such Weigh-Master or Weigh-Masters, his or their Deputy or Deputies are appointed before such Butter, Tallow, Green or Salt Hides are Legally Weighed and Branded, Discharged and Carried off from such Weigh-House, he or they shall, being thereof Lawfully Convicted before the Chief Magistrate of the Place, or the next Justice of the Peace, forfeit for every such Offence the

the Goods so Bought or Sold by him, them, or any of them, the same to be Recovered and Distributed in manner aforesaid.

And be it further Enacted by the Authority aforesaid, That no Cooper or other Person who shall be Employed in any Weigh-House of any City or Town Corporate, or Place of Export, or any other Person or Persons in Trust for him or them, shall Buy, Sell, Contract or Treat for any Butter or Tallow at the Weigh-House where such Cooper or other Person shall be Employed; And in case any such Cooper, or other Person, or any Person or Persons in Trust for him or them, shall offend contrary to the true Intent and Meaning of this Act, such Cooper, or such other Person shall forfeit the Sum of Twenty Shillings for every Cask of Butter or Tallow such Cooper or other Person shall Buy or Sell as aforesaid, the same to be Recovered, Levied and Distributed in manner aforesaid.

And be it Enacted by the Authority aforesaid, That whenever any Cask or Casks of Butter or Tallow, or any Salt Hides are Seized or Brought for Trial before the Magistrate or Justice of the Peace, or Seneschal, or are Judged and Condemned by them, or when ever any Distress is or shall be taken pursuant to this or the said former Acts of Parliament, no Replevin shall lie, but the Judgment of the Magistrate or Justice shall be Final and Conclusive, any thing in the said former Act to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, Molested or Troubled for putting in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant hereunto, such Person or Persons shall, and may Plead the General Issue, and give the special Matter in Evidence, and if the Plaintiff or Plaintiffs shall be Non-Suited, or Judgment be given against him or them, by Default or upon Demurrer, or a Verdict shall Pass for the Defendant, such Defendant shall have his, her, or their Treble Costs, to be Recovered in such manner as where by Law Costs are given to Defendants.

And whereas a Doubt has been conceived, Whether by the Act now in Force, Weigh-Masters could be appointed for Butter and Tallow in the Liberties of Saint Sepulchres, Thomas-Court and Donore.

Be it Enacted by the Authority aforesaid, That the respective Lords of the Mannor or Seneschals of the said Liberties, shall have full Power and Authority to appoint One or more Weigh-Master or Weigh-Masters for Butter and Tallow within their respective Liberties, to Weigh, Brand and Mark all such Casks and Commodities, and Take and Receive all such Sum and Sums of Money for Weighing, Branding and Marking the same, as any Weigh-Master or Weigh-Masters nominated, Appointed, or to be Appointed, by, or in pursuance of an Act of Parliament made in this Kingdom in the Tenth Year of His Majesties Reign, Intituled, An Act for Continuing and Amending of the Laws in Relation to Butter and Tallow, and the Casks in which such Goods are to be made up, and in Relation to the Curing of Hides, and making up of Beef and Pork for Exportation, and for preventing the Destruction of Salmon, Can, or may have, Exercise, Take or Receive, by Virtue of

of the said Act, and after such Casks and Commodities shall be weighed, Branded or Marked by the Weigh-Master or Weigh-Masters of the said respective Liberties as aforesaid, such Casks or Commodities shall, and may be Exported in such sort and manner as is weighed by the Weigh-Masters of the City of Dublin, any Clause, Statute or Thing in the said last mentioned Act contained to the contrary in any wise notwithstanding; which said Weigh-Master or Weigh-Masters, his or their Deputy or Deputies respectively, shall be Subject and Liable to all the Regulations, Pains and Penalties to which any other Weigh-Masters or their Deputies, appointed by this or the former Act, or in pursuance thereof are Subject and Liable.

Provided, That no Person who keeps a Publick House shall be capable of being a Weigh-Master or Deputy-Weigh-Master, for Weighing of Butter or Tallow, within the meaning of this or the said former Act.

And be it Enacted by the Authority aforesaid, That this Act shall continue in Force for Two Years, and to the End of the then next Session of Parliament.

An ACT for continuing several Temporary Statutes made in this Kingdom now near Expiring ; And for allowing further Time to Persons in Offices to Qualifie themselves pursuant to an Act, Intituled, *An Act to prevent the further Growth of Popery.*

CHAP. VI.

WH E R E A S in a Parliament Held at Dublin the Twelfth Day of November, in the Year of our Lord One thousand seven hundred and fifteen, in the Second Year of the Reign of Our most Gracious Sovereign Lord King George, an Act of Parliament was Made and Passed, Intituled, *An Act to make the Militia of this Kingdom more Useful : Which said Act was Continued and Amended by an Act made in the Fourth Year of His Majesties Reign, Intituled, An Act for Reviving, Continuing and Amending several Statutes made in this Kingdom heretofore Temporary : And was further continued by an Act made in the Sixth Year of His Majesties Reign, Intituled, An Act for Continuing and Amending an Act Intituled, An Act to make the Militia of this Kingdom more Useful : And further continued by another Act made in the Eighth Year of His Majesties Reign : And further continued by another Act made the last Session of this present Parliament for Two Years from the Twenty Fifth Day of December, in the Year of Our Lord One thousand seven hundred and twenty three, and from thence to the End of the then next Session of Parliament ; And to prevent the said Act from Expiring.*

Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That the said Act made in the Second Year of His Majesties Reign, Intituled, *An Act to make the Militia of this Kingdom more Useful*, As also the said Act made in the Sixth Year of His Majesties Reign, Intituled, *An Act for Continuing and Amending an Act to make the Militia of this Kingdom more Useful*, Be continued in full Force

Force as they now stand to the first Day of December, which shall be in the Year of our Lord One thousand seven hundred and twenty nine, and from thence to the End of the then next Session of Parliament, and no longer.

And whereas an Act Passed in the Tenth Year of His present Majesties Reign, Intituled, An Act for Regulating Abuses committed in Buying and Selling of Cattle and Sheep in the several Markets in this Kingdom: Which said Act was made to continue and be in Force only for Two Years, and from thence forth to the End of the then next Session of Parliament, and no longer, and is now near Expiring; but being found to be useful, is therefore fit to be continued.

Be it Enacted by the Authority aforesaid, That the said Act, and all and every Clause Article and Proviso therein contained be continued, and shall be in full Force to all intents and purposes, to the first Day of December, which shall be in the Year of our Lord One thousand seven hundred and twenty eight, and from thence to the End of the then next Session of Parliament, and no longer.

And whereas by an Act of Parliament made in the Sixth Year of His Majesties Reign, Intituled, An Act for Quietting and Discharging all Persons in Offices or Employments, from the Penalties they may have Incurred by not Qualifying themselves pursuant to the Act to prevent the further Growth of Popery; And Limiting the Time for Prosecutions on the said Act: It is among other Things Enacted, That such Persons as were Required by the said Act to prevent the further Growth of Popery, to Take the Oaths and Receive the Sacrament of the Lords Supper according to the Usage of the Church of Ireland, and Subscribe the Declaration in the said Act mentioned, should be Indemnified, Freed and Discharged of, and from all Incapacities, Disabilities, Forfeitures and Penalties Incurred by reason of the said Act, notwithstanding any Omission to Take the said Oaths and Sacrament of the Lord's Supper, and to Subscribe the said Declaration, so as such Person or Persons should Take the said Oaths, and Receive the said Sacrament, and Subscribe the said Declaration in manner Directed by the said Act to prevent the further Growth of Popery, on, or before the Five and Twentieth Day of March, which was in the Year of our Lord One thousand seven hundred and twenty.

And whereas some Persons well Affected to His Majesties Government, and the Church of Ireland as by Law Established, have, through Ignorance of the said several herein recited Acts, neglected to Take the said Oaths and Sacrament of the Lord's Supper, and to Subscribe the said Declaration according to the Directions of the said Act to prevent the further Growth of Popery; For Remedy whereof,

Be it Enacted by the Authority aforesaid, That all and every Person or Persons who have Incurred any Penalties and Incapacities in
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the said Act, Intituled, An Act to prevent the further Growth of Popery, mentioned, by neglecting to Qualifie themselves according to the said Act, and may be hereby Indemnified, Freed and Discharged of and from all Incapacities, Disabilities, Forfeitures and Penalties Incurred by reason of the said last mentioned Act, notwithstanding such Omission, and that none of their Acts, nor the Acts not yet avoided of any who have been in Actual Possession of any Office, Place or Employment shall be Questioned or Avoided by reason of such Neglect or Omission, but that all such Acts shall be, and are hereby Declared and Enacted to be as Good and Effectual as if all and every such Person and Persons had Taken the Oaths, and Received the Sacrament, and Subscribed the Declaration in manner as aforesaid, any thing in the said last mentioned Act to the contrary notwithstanding; nevertheless so as such Person or Persons do and shall Take the said Oaths, and Receive the said Sacrament, and Subscribe the said Declaration in manner Directed and Appointed by the said Recited Act to prevent the further Growth of Popery, on or before the first Day of August, which shall be in the Year of our Lord One thousand seven hundred and twenty six.

Provided, That this Act, or any Thing therein contained, shall not extend to Restore or Intitle any Person or Persons to any Office or Employment already actually avoided by Judgment of any of His Majesties Courts of Record, or filled by an other Person; but that such Office or Employment shall be, and remain in the Person or Persons who is or are now Intitled by Law to the same, as if this Act had never been made.

And whereas the several Acts now in Force for Suppressing Tories, Robbers and Rapparees, are near Expiring.

Be it further Enacted by the Authority aforesaid, That One Act made in a Parliament Held in the Seventh Year of His late Majesty King William of Glorious Memory, Intituled, An Act for the better Suppressing Tories, Robbers and Rapparees, and for preventing Robberies, Burglaries, and other Henious Crimes: And also One other Act made in the Ninth Year of the Reign of His said late Majesty, Intituled, An Act to Supply the Defects, and for the better Execution of an Act Passed this present Session of Parliament, Intituled, *An Act for the better Suppressing Tories and Rapparees, and for preventing Robberies, Burglaries, and other Henious Crimes*: And also One other Act made in the Sixth Year of the Reign of Her Late Majesty Queen Anne, Intituled, An Act for Explaining and Amending Two several Acts against Tories, Robbers and Raparees: As also so much of One other Act made in the Fourth Year of the Reign of His present Majesty, Intituled, An Act for Reviving, Continuing and Amending several Statutes made in this Kingdom heretofore Temporary, As Relates to the Apprehending or Killing of Proclaimed Tories or Robbers so far as the said Acts, or any of them, are not Altered or Changed by an Act made in the Sixth Year of His Majesties Reign, Intituled, An Act for the better and more effectual Apprehending and Transporting Felons and others, and for Continuing and Amending several Laws made in this Kingdom for Suppressing Tories, Robbers,

and Raparees: As also One other Act made made in the Eighth Year of the Reign of His present Majesty, Intituled, An Act for Amending an Act, Intituled, *An Act for the better and more effectual Aprebending and Transporting Felons and Others; and for Continuing and Amending several Laws made in this Kingdom for Suppressing Tories, Robbers and Raparees; And also, To prevent the Listing of His Majesties Subjects to Serve as Soldiers in Foreign Service without His Majesties Licence: Be and are hereby further continued from the Twenty fifth Day of December, which shall be in the Year of Our Lord One thousand seven hundred and twenty six, for the Term of Eleven Years, and from thence to the End of the then next Session of Parliament.*

An ACT for the better preserving the Salmon Fishery of this Kingdom

CHAP. VII.

FORASMUCH as by many Undue Practices the Salmon Fishery in this Kingdom is Extreemly Decayed, and many Idle and Disorderly Persons go in great Numbers Disguised with their Faces Blacked, or otherwise Disfigured, and with Lights, Lops, Spears, and other Instruments, kill great Quantities of Salmon in such Places in Fresh Water Rivers as they are preparing to Leave their Spaw in; To prevent which pernicious Practices for the future,

Be it Enacted by the Kings Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this Present Parliament Assembled, and by the Authority of the same, That from and after the Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, it shall and may be Lawful to and for any Person or Persons without other or further Warrant than this Act, to Seize and Bring before One or more Justice or Justices of the Peace of the respective County or Counties where such Offence or Offences shall be committed, such Person or Persons as he or they shall find Fishing with his or their Face or Faces Blacked or Disguised; And also, such Person or Persons as shall be found in, upon, or near any River or Rivers, Disfigured with his or their Face or Faces Blacked, or otherwise Disguised, tho' such Person or Persons so Disfigured or Disguised, be not actually Fishing at the time of such Seizure or Seizures; which Justice or Justices of the Peace, upon Conviction of such Offender or Offenders, by the Oath of One or more credible Witnesses or Witnesses, which Oath such Justice or Justices of the Peace is, and are hereby Impowered to Administer, shall and may by his and their Warrants under his or their Hand and Seal Levy by Distress and Sale of the Goods of such Offender or Offenders the Sum of Forty Shillings, One Moiety whereof shall be given to the Informer or Informers, and the other Moiety to the Poor of the Parish where such Offence shall be committed; And in Case no sufficient Distress or Distresses can be had wherewith to Levy and Raise the said Sum of Forty Shillings, that then the said Justice or Justices of the Peace shall and may by Warrant under his or their Hands and Seals Com-

mit such Person or Persons to the House of Correction or Work-House, for any time not exceeding Thirty One Days, there to remain at hard Labour, and to have due Correction according to Law.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, no Person or Persons whatsoever, except such as have an Estate of Freehold in his or their own, or their Wives Right of the clear yearly Value of Forty Pounds per Annum at the least, or a Personal Estate of the Value of One thousand Pounds at the least over and above all Debts by him owing, and except such Person or Persons as is, are, or shall be Intitled to any Fishery or Fisheries within this Kingdom, his or their Farmer or Farmers, and such Person or Persons as are or shall be Lawfully Employed in the same, shall, or may for him or themselves or as Servant or Servants to any Person or Persons who shall not be Seized or Possessed of a Real or Personal Estate to the Value aforesaid, or Intituled to any Fishery or Fisheries as aforesaid, make, have or keep any Cask or Casks, Spear or Spears, Lyster or Lysters, Lopp or Loppes, Pett or Petts, or any other Engine or Engines, Instrument or Instruments commonly made use of to Take or Kill Salmon or Salmon-Fry, altho' no Proof can be made that he, or they did Apply them or any of them to such Use or Uses, on Pain that all and every such Casks, Spears, Lysters, Loppes, and other Engine and Instrument so kept contrary to this Act, as also all Fish found with them or any of them, shall and may be Seized or Taken away by any Justice or Justices of the Peace of the respective County or Counties where the same shall be kept or found, or by Person or Persons Authorized thereunto, by Warrant under the Hand and Seal of such Justice or Justices of the Peace, and shall and may be Kept and Detained by him or them to his and their own Use; And every such Person so having and keeping any such Casks, Spears, Lysters, Loppes, Petts, or any other such Engine or Instrument contrary hereunto, and being thereof Convicted upon his Appearance or Default after Summons, before One or more Justice or Justices of the Peace of the County or Place where such Offence shall be committed, on the Oath of One or more Credible Witnesses or Witnessess, which Oath such Justice and Justices of the Peace is, and are hereby Impowered to Administer, shall for every such Offence Forfeit and Lose the Sum of Forty Shillings, to be Levied by Warrant under the Hand and Seal of such Justice or Justices of the Peace before whom such Offender shall be Convicted, by Distress and Sale of the Goods of such Offender, the One Moiety thereof to the Informer who shall Inform and Prosecute for the same, and the other Moiety to go and be Disposed of to the use of the Poor of the Parish where such Offence or Offences shall be committed; and in Case no sufficient Distress or Distresses can or may be had whereout to Levy and Raise the said Sum of Forty Shillings, that then the said Justice or Justices of the Peace shall and may by Warrant under his or their Hands and Seals Commit such Person or Persons to the common Goal of the County or Place where such Offence

ence shall be committed, there to remain for any time not exceeding Thirty One Days, unless such Offender shall sooner Pay the Penalty so forfeited, and upon such Payment to be Discharged.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, if any Person or Persons during the Months of February, March, April or May, in any Year, shall in any One Day Take or Kill to the Number of Twelve Salmon-fry, whether it be by Angling, or any other way whatsoever, and such Person or Persons shall be thereof Convicted upon his or their Appearance or Default after Summons, by the Oath of One or more Credible Witnesses or Witnessess, before any One or more of His Majesties Justices of the Peace of the County, City or Town Corporate where such Offence shall be committed, every such Person shall Forfeit the Sum of Ten Shillings, and it shall and may be Lawful to and for such Justice or Justices of the Peace by Warrant under his or their Hands and Seals, to Levy the said Sum of Ten Shillings by Distress and Sale of the Offenders Goods, One Half thereof to be for the use of the Informer, and the other to the Poor of the Parish where the said Offence shall be committed, and for want of sufficient Distress, it shall and may be lawful for such Justice or Justices by Warrant under his or their Hand and Seal to Commit such Offender to the Common Goal of the County, City or Place where such Offence shall have been committed, there to remain and be kept for any time not exceeding Ten Days, unless such Offender shall sooner Pay the Penalty so forfeited, and upon such Payment to be Discharged.

And whereas such Persons as are Employed by Persons who are Intitled unto, or Farmers of any Fishery or Fisheries in this Kingdom, find it necessary in Order to preserve the Salmon in Spawning time to go and watch on the Banks of Rivers in which they usually Spawn, in Order to Apprehend such Person and Persons as shall endeavour to Take and Destroy such Salmon, but are often Threatned with Actions at Law and Indictments by the Proprietor or Proprietors, Possessor or Possessors of the Bank or Banks of such River or Rivers when such Person or Persons Attempt, for the purposes aforesaid to go upon the same.

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for such Person or Persons so Employed as aforesaid, to Walk upon the Bank and Banks of such River and Rivers as aforesaid, not lying within any Orchard or Garden, in Order to Apprehend such Person or Persons as shall Offend against this or any other Act heretofore made in this Kingdom for the preservation of the Salmon fishing thereof, and that such Person or Persons so Walking, for the purposes aforesaid on any Bank or Banks of any River or Rivers, shall not be liable to any Action at Law, Indictment, or other Prosecution for so doing, so as the Person so Employed be Authorized by Writing under the Hand of the Owner or Farmer of such Fishery.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, Molested or Troubled, for putting
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in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant hereunto, such Person or Persons shall and may Plead the General Issue, and give the special Matter in Evidence, and if the Plaintiff or Plaintiffs shall be Non-Suited, or Judgment shall be given against him or them by Default, or upon Demurrer, or a Verdict shall Pass for the Defendant, such Defendant shall have his, her or their Treble Costs, to be Recovered in such manner as in other Cases where by Law Costs are given to Defendants.

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AN ACT

For the more effectual Transporting

Felons and Vagabonds.

CHAP. VII.

WHEREAS great Numbers of Persons are Confined in the several Goals of this Kingdom, who by Vertue of the Statutes now in Force are to be, or ought to have been Transported unto some of His Majesties Plantations in America, and several who have been Confined in Order to be Transported, have Broke out of the Goals to which they have been Committed, and have made their Escape, and others have continued in Confinement for many Years, the Masters and Owners of Vessels Trading to His Majesties Plantations being unwilling to be at the Expence of Transporting them, by means whereof, not only the several Counties where such Persons remain in Custody, are put to great Expence for their Support, but also all His Majesties good Subjects are greatly Endangered; For Remedy whereof,

Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Twenty Fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, it shall and may be Lawfull to and for the Chief Magistrate of the City of Port-Town in which any Person is or shall be Confined under any Sentence, Rule or Order of Transportation, or in which any Person is or shall be Confined, who hath or shall obtain any Pardon, with Con-

dition of Transportation, or Order for Transportation, under the Hand of the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the time being, although the time limited by such Pardon, Sentence, Rule or Order be Expired, and such Chief Magistrate is hereby required to Contract with any Person or Persons for the Transportation of every or any of those who are or shall be so Confined in such manner and for such Term of Years as by an Act made in the Sixth Year of the Reign of His present Majesty, Intituled, An Act for the better and more effectual Apprehending and Transporting Felons and others; and for Continuing and Amending several Laws made in this Kingdom for Suppressing Tories, Robbers, and Rapparees, is Directed and Required, so as the Person Contracting with such Chief Magistrate do Enter into such Recognizance as by the said Act is appointed. And for the Encouragement of those who shall Contract for the Transportation of Persons so Confined or to be Confined.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty-fifth Day of April, in the Year of our Lord One thousand seven hundred and twenty six, it shall and may be Lawful to and for the Chief Magistrate of such City or Port-Town, by Warrant or Order under His Hand and Seal, to Direct and Require the Sheriff or Sheriffs of such City being a County of it self, or of the County wherein such City or Port-Town shall lye, or their respective Sub-Sheriffs or Under-Sheriffs for the time being, to Pay unto the Person or Persons who shall Contract for the Transportation of any such Person Convicted of a Capital Felony, any Sum not exceeding the Sum of forty Shillings; And for every other Person which now is or shall be Ordered to be Transported, any Sum not exceeding the Sum of Twenty Shillings; In which Warrant or Order shall be mentioned the Name of the Person so to be Transported, and the time or place where he or she was Presented or Convicted, and the Offence of which he or she was Convicted.

And be it further Enacted by the Authority aforesaid, That every Sheriff to whom such Warrant or Order shall be Directed, or his Under-Sheriff or Sub-Sheriff, shall forthwith, without Fee or Reward, Pay the Sum in such Order or Warrant contained, taking a Receipt from the Person so Contracting, Acknowledging the Payment of such Sum or Sums; And also, Acknowledging that he hath Received the Body or Bodies of the Person or Persons so to be by him Transported.

And be it further Enacted by the Authority aforesaid, That upon producing of every such Warrant or Order, together with such Receipt as aforesaid at any Assizes or General Quarter-Sessions of the Peace to be Held for the County where the Person or Persons in such Warrant or Order named was or were Convicted or Presented, the Grand-Jury of the said County are hereby required to present the Sum contained in such Warrant or Order, which shall be Apportioned and Levied in the

the same manner as other Sums Raised at Assizes and Sessions in the said County are usually Levied and Appointed, and shall be Re-paid to such Sheriff, Sub-Sheriff or Under-Sheriff as shall have Disbursed the same as aforesaid, or his Executors or Administrators respectively, or to the Person or Persons by them appointed to receive the same.

And be it further Enacted by the Authority aforesaid, That if any Person, so to be Transported as aforesaid, shall refuse to Sign and Seal any Articles, Covenant or Indenture Agreed upon between such Chief Magistrate of the City or Port-Town, and the Person Contracting for his or her Transportation as aforesaid, so as the Person to be Transported be not by any such Articles, Covenant or Indenture obliged to serve for any longer Term than Seven Years, every such Person so refusing, if Convicted of a Capital Felony, shall be absolutely deprived of the Benefit of Clergy, and of this and the said former Act, or any other Act, or Order by Virtue whereof, he or she were to be Transported, and shall be continued in, or be immediately Transmitted to the Goal of the County where he or she was Convicted, and Sentence of Death shall be Pronounced against him or her so refusing respectively, in the next Term in the Court of King's-Bench, or at the next General Quarter-Sessions in the County of Dublin, or County of the City of Dublin, or at the next General Goal Delivery in such other County where such Person was Convicted, and Execution Awarded accordingly, and if any other Person who shall be Ordered to be Transported as aforesaid, shall refuse to Sign and Seal such Agreement, Covenant or Indenture, every such Person shall be Thrice Publicly Whipt, through such City or Port-Town, and afterwards remain close Confined in Goal till he or she be Transported.

And be it further Enacted by the Authority aforesaid, That if any Person, who after the said Twenty fifth Day of April, One thousand seven hundred and twenty six, shall be Transported as a Felon Convicted of a Capital Felony, shall at any time be found within this Kingdom, not being Licenced therunto by His Majesty, His Heirs or Successors, under His or Their Privy Seal, such Person shall suffer Death as a Felon without Benefit of Clergy, any thing in the said Act made in the Sixth Year of His present Majesties Reign to the contrary thereof in any wise notwithstanding, and shall and may be Tried in any County where he shall be Apprehended.

And be it Enacted by the Authority aforesaid, That if any Person or Persons, being now, or who shall at any time hereafter be under any Sentence, Rule or Order of Transportation, shall be Transmitted to any Port-Town within any County or County of a City, other than where such Sentence, Rule or Order was made, the Chief Magistrate of such Port-Town shall be obliged to Receive and Commit such Person and Persons to Goal, who shall be there maintained in such manner as Convict Felons are maintained until they be Transported, and

the Sheriff or Sheriffs who shall Deliber over such Person or Persons to be Transported, shall give Security to the Sheriff or Sheriffs of such County or Counties, or to such Magistrate or other Officer to whom such Offender or Offenders shall be Delivered in order to Transportation, to Reimburse all such Sum and Sums of Money as shall be Disbursed on account of such Person or Persons so Transmitted, for his or their maintenance in Goal, to the time or times of his or their being Transported; which said Sum and Sums shall be Levied by Presentments of the Grand Jury, on the Body of the County where such Sentence, Rule or Order of Transportation, was made in like manner as the same is Ordered and Directed by the said Act made in the Sixth Year of his present Majesties Reign in Case of Felons so Transmitted for Transportation.

And to the End that all Merchants, Owners and Masters of Vessels Trading to His Majesties Plantations, may have Information and timely Notice of the Persons to be Transported from the several parts of this Kingdom.

Be it further Enacted by the Authority aforesaid, That the Clerks of the Crown and Clerks of the Peace shall make out, and Sign Certificates of the Names of every Person and Persons remaining in the Goal or Goals of the several Counties under any Rule, Sentence or Order of Transportation made in every Term, and at every Assizes or General Goal Delivery or Quarter-Sessions of the Peace, at which the said Clerk of the Crown or Peace respectively Officiated, specifying therein the particular Offences for which such Persons were respectively Ordered to be Transported; which Certificates shall within Thirty Days after the last Day of every Assizes or Goal Delivery, or Quarter-Sessions, by the several Clerks of the Crown, and Clerks of the Peace respectively, be Lodged in the Hands of the Lord Mayor of the City of Dublin, where such Conviction or Presentment was in His Majesties Court of King's-Bench, or in any County in the Province of Leinster, and in the Hands of the Mayor of the City of Cork, the Mayor of the City of Waterford, and the Mayor of the City of Limerick for the time being, where such Conviction or Presentment was in any County in the Province of Munster, and in the Hands of the Mayor of the City of Londonderry, and the Sovereign of the Town of Belfast for the time being, where any such Conviction or Presentment was in any County in the Province of Ulster, and in the Hands of the Mayor of the Town of Galway, and the Provost of the Town of Sligo for the time being, where any such Conviction or Presentment was in any County in the Province of Connaught; which several Chief Magistrates of the said several Cities and Towns are hereby required to cause Lists of the Names of the Persons Returned to them in such Certificate, to be Posted up in the Exchange, and other most Publick Places of their said respective Cities and Towns, together with the several Rewards intended to be given for the Transportation

tion of the Persons whose Names are contained in such Lists; and likewise to take care that such Lists continue posted as aforesaid, until the Persons in such Lists named, and every of them be actually Transported.

And be it further Enacted by the Authority aforesaid, That if it shall appear to the Court of King's-Bench, or to the Justice or Justices of Assize, or Justices of the General-Quarter-Sessions of the Peace respectively, that the Clerk of the Crown of the said Court of King's-Bench, or the Clerk of the Crown or Clerk of the Peace for the County for which such Assizes or Quarter-Sessions are held respectively, hath at any time neglected to make out, and return such Certificate as aforesaid, the Court of King's-Bench, and such Justice and Justices of Assize, and Justices of the Peace in such General Quarter-Sessions respectively, are hereby Impowered and Required to Impose on every such Clerk of the Crown and Clerk of the Peace for every such Neglect a Fine not exceeding Ten Pounds, nor less than Five Pounds; And forasmuch as the Transportation of Felons hath been greatly delayed, and Opportunities of Transporting them frequently lost, by the time necessarily taken up in Passing and Pleading the Pardons granted to such Felons.

Be it Enacted by the Authority aforesaid, That when ever His Majesty, His Heirs or Successors, or the Lord Lieutenant or other Chief Governor or Governors of this Kingdom for the time being, shall be pleased to Extend Mercy to any Person who hath been or shall be Convicted of Felony, or who hath received or shall receive Sentence of Death for any Felony, any Order under the Sign Manual of His Majesty, His Heirs or Successors, or under the Hand of the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the time being, Directing the Person so Convicted or Sentenced to be Transported, shall be as effectual in the Law as if a Pardon for such Felony, with Condition of Transportation had been Passed under the Great-Seal, and Pleaded and Allowed; and that such Order shall be a sufficient Warrant in the Law to all Sheriffs, Goalers, and others, for the Delivery of the Person in such Order named, to the Sheriff or Goaler of the Place from whence such Felon is to be Transported, or to the Person or Persons Contracting for the Transportation of such Felon as aforesaid, so as such Order be also Counter-Signed by the Judges, or One of them before whom such Felon was Tried; which said Order, after such Delivery of such Felon, shall be Lodged in the Hands of the Clerk of the Crown or Clerk of the Peace where such Conviction was had, together with a Receipt from the Person to whom such Felon was delivered to be Transported, to be kept among the Records of the Court.

Provided, That nothing herein contained shall Extend to Inflict the Punishment of Death on any Person who shall Receive His Majesty's

ties Pardon, upon condition of Transportation for any Unlitted time, or who shall be Ordered by His Majesty, His Heirs or Successors, the Lord Lieutenant or other Chief Governor or Governors of this Kingdom, to be Transported for any limited time, so as such Person be not found in this Kingdom before the time in such Pardon or Order limited be expired, any Law, Statute or Usage to the contrary thereof in anywise notwithstanding.

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For the more

Effectual Erecting

A N D

Better Regulating

O F

FREE-SCHOOLS,

A N D F O R

Rebuilding and Repairing of Churches.

C H A P. IX.

WH E R E A S an Act of Parliament made in the Twelfth Year of the Reign of Queen Elizabeth of Glorious Memory, Intituled, An Act for the Erecting of Free-Schools, has not Answered the Pious and Good Design thereby intended, by reason of sundry Defects that are in the said Act.

And whereas the Places by the said Act appointed for the Building and Erecting of such Free-Schools, being the principal Shire-Town of every Diocels where School-Houses be not already Builded, are left at too great an uncertainty, some Diocels consisting only of part of one or more Counties, and having no such Shire-Town, and others more than one within them; And it being not easie in some Places to Determine which is the Principal Shire-Town of the Diocels.

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Be it Enacted by the Kings Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That it shall and may be Lawful for every Archbishop, Bishop, Dean, Dean and Chapter, Dignitary or Prebendary of a Cathedral-Church out of any Land to him, them, or any of them, in any wise belonging by Deed, to be Inrolled in the High Court of Chancery of this Kingdom, to appoint and Sett apart any Piece of Ground not exceeding One Plantation Acre, and lying near the Cathedral-Church, or in some more convenient part of each respective Diocess, to be approved of by the Chief Governour or Governours of this Kingdom for the time being, under his or their Hand and Seal for the use of the Master of the Free-School of the said Diocess; And that such Piece of Ground so Sett out, shall for ever be deemed and reputed to be the Place for the Free-School of the said Diocess; And that in every Diocess until such Piece of Ground shall be Sett out and Appointed for the Place of the Free-School, the said Free-School shall and may be kept in such convenient Place within the said Diocess, as the Archbishop or Bishop of the same can procure either for a Yearly Rent, or otherwise.

Provided, That where in any Diocess there already is a Piece of Ground legally Appropriated to the use of a Diocess-School, such Piece of Ground so Appropriated, shall for ever be and remain in the Place of the Diocess-School of the said Diocess, any thing in this present Act to the contrary notwithstanding.

And whereas the said Act appoints, That the Free-School of each Diocess shall be builded and Created at the Costs and Charges of the whole Diocess, without respect of freedoms, by the Deviser and Oversight of the Ordinaries of the Diocess, or of the Vicars-General (Sede vacante) and the Sheriff of the Shire, but no sufficient Way is appointed for the Apportioning or Levying of such Money as upon that Occasion may be found necessary, by reason whereof, and of the want of fixed and Settled Places to be Appropriated unto such Schools in most Diocesses, no Money has ever yet been Raised for the Building of such Free-School, and where any such Money has been Raised, it has hitherto turned to very little Account;

Be it therefore Enacted by the Authority aforesaid, That no Money shall be Raised for Creating of such School, until such time as a Place for the same shall according to this present Act, or in some other sufficient manner be appointed, and that from and after such appointment of a Place for a Free-School within any Diocess, it shall and may be Lawful for the Grand-Jury of each County from time to time to Present such Sum or Sums of Money as they shall find reasonable, to be Levied for their respective proportion towards the Building or Repairing such Diocess-School, which Sum and Sums so Presented, the Presentment being confirmed by the Court, shall be Levied upon the whole, or such part of the said County as shall be Situate in each respective Diocess, in such manner as other Publick Money is Levied upon Presentments made by Grand-Juries.

And

And be it further Enacted by the Authority aforesaid, That when any Money shall be Levied toward the Building of a Free-School in the manner herein mentioned, the same shall be Paid by the Treasurer of the County into the Hands of such Person as the Grand-Jury in their Presentment shall appoint, who shall Account for the same upon Oath in such manner, and at such time as the respective Grand-Juries shall direct, or in their Presentment appoint.

And whereas Two Third Parts of the Yearly Stipend or Salary appointed by the said Act for the Master of a Free-School, arising out of all and singular the Ecclesiastical Livings in the respective Dioceses, are divided into such very small parts as to render the Collecting of the same both Troublesome and Expensive.

Be it Enacted by the Authority aforesaid, That every Person being a Beneficed Clergyman, who by Virtue of the said Act does or shall stand obliged to Pay any part or proportion of the said Two Third Parts, shall Yearly at the Visitation held for the proper Diocese, Account with the School-Master to whom the same ought to be Paid, and accordingly Pay whatever shall appear to be Due unto him; And if he shall not accordingly Pay what shall be so Due, within Three Calendar Months after the Day of such Visitation, then it shall and may be Lawful to and for the Archbishop, Bishop, Vicar-General or Chancellor of the Diocese, to Sequester the Profits of the Benefice belonging to such Clergyman for the Payment thereof, until the same shall be Levied or Paid.

And whereas most of the Lands which were Granted by King Charles the First to James then Lord Archbishop of Armagh, and his Successors, in Trust for the Masters of several Free-Schools for the time being, do to the great Disadvantage of the Country continue Unimproved because the Tenants Holding such Lands, cannot have a certain Interest therein for any Term of Years.

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the Archbishop of Armagh, and his Successors, by and with the Consent of the respective School-Masters, testified by their being Parties, and Signing such Lease or Leases, to Demise, Settle, and to Farm Lett, all or any part of the said Lands for any Term not exceeding Twenty One Years, and for no longer Term from the making thereof, at, and under the best and most Improved Rent that can be got for the same, to be reserved to the said Archbishop and his Successors, in Trust for the Masters of the said respective Schools for the time being, so as there be no other Lease in being, which shall not Expire within One Year from the making such Lease or Leases.

And whereas several Parishes in this Kingdom are, and others are likely to become Non-Cures, tho' there are several Protestant Families Inhabiting therein, for want of Places of Publick Worship, the Parish-Churches being in so great Decay that Divine Service cannot therein be performed, and the said Churches cannot be Rebuilt or Repaired, the Popish Inhabitants of such Parish Obstructing the same by their Out Voting the Protestant Inhabitants at their Vestries duly appointed for that purpose, for the preventing therefore of Papists having

it in their Power to Obstruct the Rebuilding and Repairing Churches for Divine Worship.

Be it Enacted by the Authority aforesaid, That no Inhabitant of any Parish in this Kingdom being a Papist, shall at any time hereafter be capable of giving his or their Vote at any Vestry or Vestries in this Kingdom, to be Held for the purposes aforesaid. And for the more speedy and effectual Levying such Money as shall be agreed upon, Assessed and Ordered at Vestries for Building and Repairing of Churches.

Be it Enacted by the Authority aforesaid, That the same may and shall be Raised and Levied by Warrant under the Hands and Seals of Two or more Justices of the Peace of the County where such Parish doth lie, by the Church-Wardens of such Parish, by Distress and Sale of the Goods of the Person or Persons refusing or neglecting to Pay the Sum or Sums of Money duly Appointed and Charged on them pursuant to such Act of Vestry, together with the Charges of such Distress and Sale, returning the Overplus if any shall be, any Law to the contrary notwithstanding; And in Case any Person or Persons shall think him or themselves Agrieved by any such Assessment or Applotment to be made as aforesaid, or the Levying thereof, he or they shall be at liberty to Appeal to the next Quarter-Sessions Held for the said County, who are hereby Impowered to hear, and finally to Determine the same.

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To Amend and Explain

An A C T,

INTITULED,

An Act to Encourage Building of Houses, and making other Improvements on Church Lands, and to prevent Dilapidations.

C H A P. X.

WH E R E A S an Act Passed in the Tenth Year of King William the Third of Glorious Memory, Intituled, An Act to Encourage Building of Houses, and making other Improvements on Church Lands, and to prevent Dilapidations: Which hath been found by Experience in many Instances not to Answer the Good and Pious Ends proposed by the said Act; but on the contrary, that several Ecclesiastical Livings have been Over-burthened with larger Sums Payable by the Successors in such Livings where Houses have been Built, and Certified pursuant to the said Act than the same have been able to bear; and in many Places the Houses Built upon the Encouragement of the said Act, have been of such bad Materials, or so ill Built or Contrived as to be of little Use to the Successor in such Ecclesiastical Living; For Remedy whereof, and for clearing several Doubts which have arisen concerning the Execution of the said Act,

Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the first Day of May, which shall be in the Year of our Lord One thousand seven hundred and twenty six, when any Certificate shall be given or made out by Vertue of the said Act for any Sum or Sums of Money to be Charged upon any Archbishoprick, Bishoprick, or other Ecclesiastical Living for any Building or Improvements, such Certificate shall contain a true Account of the clear yearly Value or Income of the said Archbishoprick, Bishoprick, or Ecclesiastical Living, as the same shall be proved to be before such Persons respectively, who shall grant such Certificate, at or before the time of making out such Certificate, whose Judgment therein shall be final, and that the said yearly Value or Income shall be computed of that particular Ecclesiastical Living only whereon such Building or Improvements are made, and no other, unless there be a Real Union by, or pursuant to any Act of Parliament of the said Ecclesiastical Living, with other Livings, from which it is Inseperable.

And whereas by the said Act it is Enacted, That every Ecclesiastical Person therein mentioned, who shall make any Buildings or Improvements upon his Glebe or Demesne Lands, the Value whereof shall be Certified as by the said Act is appointed, shall have and receive from his next and immediate Successor, his Executors or Administrators respectively, Two Thirds of the Sum or Sums Expended and Laid out in the same, and that such Successor having paid the Two Thirds of the Sum or Sums so Certified, shall and may Receive One Portion of what he has so Paid from his next Successor.

Be it Enacted by the Authority aforesaid, That, instead of the several Payments in and by the aforesaid Revised Act Directed to be Paid, every Archbishop, Bishop, and other Ecclesiastical Person whatsoever who shall from and after the first Day of May aforesaid, Make, Build, Erect, Add to, or Re-pair any House, Out-Houses, Garden, or other necessary Improvement on his Demesne, Glebe or Demesne Lands, in the manner therein before Directed, for which a Certificate shall be obtained, as by this Act is appointed, such Archbishop, Bishop, or other Ecclesiastical Person, his Executors or Administrators respectively, shall from his next and immediate Successor, have and receive Three fourths of the Sum or Sums so Certified, and such Successor having paid the Three fourths of the Sum or Sums so Certified as aforesaid, his Executors or Administrators respectively, shall and may Receive One third thereof (that is) One portion of the Sum first Certified from his next Successor, which Successor having paid the said portion of the said first Sum, his Executors or Administrators shall, and may Receive from his next Successor One half thereof, that is, One fourth part of the Sum or Sums in the first Certificate mentioned; All which Sums to be paid and received, shall and may be Paid and Recovered within the times, and in the same manner as the

the Sums to be Paid and Recovered by the said former Act are Directed and Appointed to be Paid and Recovered, any thing in the said former Act to the contrary notwithstanding.

And be it Enacted by the Authority aforesaid, That no Person who shall hereafter Succeed into any Archbishoprick, Bishoprick, or other Ecclesiastical Living, shall be obliged to Pay his Predecessor, or the Executors or Administrators of his Predecessor, by Vertue of any Certificate or Certificates for Building or Improving on Church-Lands, any more or greater Sum than the clear Value of One Year and a Halfe Income so limited as aforesaid.

And be it further Enacted by the Authority aforesaid, That no Certificate shall be hereafter given or made out for any Dwelling-House, or Building upon Church Lands by Vertue of the above mentioned Act, unless the said Dwelling-House or Building be made of Stone and Lime, or Brick and Lime, and Timbered in the Roof, and in the Floors of such Dwelling-House, with Oak or Fir-Timber, Bogg Oak excepted, and covered with Slates, Shingles or Tiles, and the Building Strong, Lasting and Durable, except Livings under a Hundred Pounds a Year, where such Houses or Buildings may be covered with Thatch, Provided the Timber be such as is before specified.

And whereas in divers Bishopricks of this Kingdom there are no Manse Houses, or Mansal Lands convenient for the Residence of the Bishop,

Be it Enacted by the Authority aforesaid, That, where in any Diocess of this Kingdom, the Bishop of the Diocess hath no more than One Hundred Acres of Mansal Lands, It shall and may be Lawfull to and for every such Bishop, and his Successors in the said Diocess, to Purchase to the Use of such Bishop and his Successors, by and with the Consent of the Archbishop of the Province, under his Archiepiscopal Seal, any Lands in the said Diocess, not exceeding in quantity the number of Two Hundred Acres Plantation Measure, upon which Purchase, there may be Reserved out of such Lands any Yearly Rent not exceeding One Half of the Improved Yearly Value of such Lands at the time of the Purchase, which said Rent so reserved shall be a Charge, and continue Chargeable on such Lands so Purchased in the Hands of every such Bishop, and his Successors for ever.

And be it further Enacted by the Authority aforesaid, That all Lands so Purchased shall be and continue Mansal Lands to all intents and purposes whatsoever, and that every Bishop who shall Purchase any such Lands, or shall Build an House and make any other Improvements thereon convenient and proper for the Residence of such Bishop and his Successors, such Bishop or his Executors and Administrators, so Purchasing, Building or Improving, shall have and Receive such Proportion of such Purchase Money, and of such Money

as shall be so laid out in Building and other Improvements, as a Bishop is or shall be Intitled to for Houses Built upon his Mensal Lands by this Act, and to be Recovered in manner as is herein before mentioned.

And be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, which shall be in the Year of our Lord One thousand seven hundred and twenty six, every Archbishop, Bishop, or other Ecclesiastical Person intending to Erect or Make any Building or Improvement upon his respective Demesne or Glebe Lands, shall, at the Least Three Months before he begins the same, give unto the Person, or Persons who by this or the other above mentioned Act, is or are Impowered to give them such Certificate as is above set forth, a Writing Subscribed with his Hand in the presence of Two Credible Witnesses setting forth the Length, Breadth, Height and Thickness of the Wall of such House or Houses as he intends to Build, with the number of Stories in them or each of them to be contained, together with the Situation of the Ground on which the same are to stand; as also the Nature and Extent of all other Improvements which he so intends to make, a Copy of which Writing, if approved of, shall be Returned unto such Archbishop, Bishop, or other Ecclesiastical Person, in like manner Subscribed by the Person or Persons unto whom the same is so given; And if the said House, Houses or Improvements, or so much of the same as shall be Built, or made before the Death or Removal of the respective Incumbent Undertaking the same, shall be found agreeable unto what is contained in such Writing, and the Value thereof so Reported by Commissioners for that purpose to be appointed as herein after is mentioned, then, and not otherwise, such a Certificate as is above mentioned shall be given for the same according to the Value of such House or Houses and Improvements so Reported, and under the Limitations of this present Act.

Provided, That no Wainscot made, or to be made in such House as is above mentioned, shall be looked on as an Improvement, or Certified as such, except the Ecclesiastical Benefice whereunto such House belongs, shall appear to be of the clear Value of Three Hundred Pounds per Annum.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the Chief Governour or Governours of this Kingdom for the time being, and every Archbishop and Bishop respectively, to Grant any Commission to Two or more Persons to View and Examine the Houses and Improvements made on Church Lands, by Vertue of this or the before mentioned Act, and to Administer an Oath to the said Commissioners so appointed as aforesaid, to return a true, just, and faithful Account and Estimate of the said Buildings and Improvements according to the best of their Skill and Knowledge; And the said Commissioners shall likewise have Power to Examine Witnesses, upon Oath, upon any Article of Account given in, and alledged to be Expended in Building the said Houses, and making the said Improvements:

provements: And where any Archbishop, Bishop, or other Ecclesiastical Person shall Build any House or Out-Houses, or make other Improvements upon their Mensal Lands or Glebes, and shall obtain a Certificate for the same in pursuance of this present Act, if the said Archbishop, Bishop, or other Ecclesiastical Person, his or their Executors or Administrators, shall Demand Payment for the said Houses and Improvements, according to the Certificate granted; Upon Complaint of the said Successor or Successors of Dilapidations in the said House, Out Houses, or Improvements, then, and in such Case a Commission shall be granted in the manner, and with the Powers aforesaid, to View and Examine the said Buildings and Improvements; And the Commissioners shall return a Just Report of the same to the Chief Governor or Governors for the time being, Archbishop or Bishops respectively, who, upon hearing the Allegations of each Party, shall ascertain such Sum or Sums as he or they shall judge reasonable to be allowed for such Dilapidations; which said Sums shall be Deducted out of the Sum or Sums Payable by the Successor or Successors, and shall by him or them be laid out in Repairing such Houses, Buildings or Improvements; and such Successor shall in the space of Twelve Months produce proper Vouchers to the Chief Governor or Governors for the time being, Archbishop or Bishop of the Diocess respectively, that the same has been justly laid out on such Repairs.

Provided always, That the above mentioned Act of the Tenth Year of King William, shall be, and continue in full Force in all Points (except where the same is Altered, Amended, Explained and Limited by this present Act.

Provided also, That nothing in this present Act contained shall Extend, or be construed to Extend to any Certificates granted, or to be granted for Houses or Improvements upon Mensal Lands or Glebes already made or begun, and which have not been Certified for according to the said Act.

And be it further Enacted by the Authority aforesaid, That where any Archbishop, Bishop or Dean, shall be disposed to Erect One or more Alms-House or Alms-Houses upon any convenient Place of his Mensal Lands, or other Lands out of Lease, such Archbishop or Bishop, or such Dean with the Consent of the Bishop of the Diocess, under his Episcopal Seal, may Set apart so much thereof (not exceeding One Acre for any One Alms-House) as may be sufficient for that Use, and may Convey the same by proper Deeds to the Church-Wardens of the Parish, and their Successor for ever, to be applied to the Use of an Alms-House, and for no other purpose whatsoever; and that such Church-Wardens and their Successors, shall be and are hereby made Persons capable to Take and to Hold to them and their Successors, any Lands so Granted as aforesaid, so as such Deeds be Registered in the respective Registries of the said Archbishop or Bishop, which Deeds so Registered shall be Judged a full and effectual Conveyance in the
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Law of such Part of the said Rental or other Lands so long as they continue for the Use of such Alms-Houses, and no longer.

And whereas in several parts of this Kingdom there are large Tracts of Bogg and Fenny Grounds appertaining to several of the Archbishops and Bishops of this Kingdom, which are, or are reputed to be part of their Demesne Lands wholly Unimproved, and of little or no advantage to the said Archbishops and Bishops, by reason that no Leases for any certain Term of Years can be made thereof for the Encouragement of such Tenants as might undertake or attempt to Drain or Improve the same, and to the great Detriment of the Publick, as well as of the said Archbishops and Bishops; For Remedy whereof,

Be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the several Archbishops, with the Consent of the Chief Governor or Governors of this Kingdom for the time being, under his and their Hands and Seals, and to, and for the several Bishops, with the Consent of the Archbishop of the Province under his Hand and Archepiscopal Seal, to Lease or Demise any parcel or parcels of such Bogg or Fenny Grounds so appertaining, or reputed to appertain to their Demesne Lands for any Term not exceeding Sixty Years in Possession without Fine, reserving the best and most Improved Rent that can be got for such Bogg or Fenny Grounds at the time of making such Lease.

Provided, That every such Archbishop or Bishop over and above such Bogg and Fenny Grounds so to be Demised, shall be Possessed of Three Hundred Acres Plantation Measure of good arable and pasture Lands belonging to his Dwelling-House as Demesne, and shall reserve a Turbarie sufficient for the Use of such Dwelling-House, and the Tenants of such Demesne Lands.

Provided also, That no such Lease shall at any time be Renewed for any longer Term than the Term of Twenty One Years, and that at every such Renewal, the said Land shall be Set at Three Fourths of the full Value of the said Lands at the time of such Renewal.

And whereas several of the Archbishops and Bishops of this Kingdom are seized in Right of their respective Archbishopsricks and Bishopsricks of large Tracts of Bogg or Boggy and Fenny Grounds, not being parcel of their Demesne, which have hitherto lain wholly Waste and Uncultivated, and have been usually Demised for Twenty One Years, with the Lands or Farms of such Archbishop and Bishop to which they lie contiguous, and are next adjoining as Members and Appurtenances thereof, without yielding any Rent or Profit to such Archbishop or Bishop, or being of any Real Value to the Tenants that hold such Lands, by reason of the Shortness of the Term for which the same are Demised.

Be it Enacted by the Authority aforesaid, That from and after the First Day of May aforesaid, it shall and may be Lawful for every Archbishop, with the Consent of the Chief Governor or Chief Governors of this

this Kingdom, and for every Bishop, with the Consent of the Archbishop of the Province granted in the manner herein before Directed, to make separate and distinct Leases of all such Tracts of Bogg, or Boggy and Fenny Grounds which lie Contiguous to any of their Lands and Farms, and of which they are so Seized as aforesaid, to the several and respective Tenants of such Lands or Farms, or if out of Lease to any Person or Persons whatsoever for any Term not exceeding Sixty Years in Possession without Fine, and at the highest Rent that can be had for the same.

Provided always, And be it Enacted by the Authority aforesaid, That if any Archbishop or Bishop, under Colour or Pretence of the Powers hereby granted to Demise for the Term of Sixty Years any Tract of Bogg, or Boggy and Fenny Grounds so adjacent as aforesaid, to any other Lands or Farms belonging to the respective Archbishopricks or Bishopricks, shall include in such Demises any of the profitable Lands belonging to such Farms, or shall lessen or diminish the Yearly Rent, or any part thereof, that now is, or at the time of making such Lease of Sixty Years, shall be reserved upon such Farm, for which such Tracts of Bogg, or Boggy and Fenny Grounds are contiguous and not adjoyning as aforesaid, or include in any such Lease not exceeding Sixty Years as aforesaid, any other Lands belonging to their respective Sees, then, and in all such Cases, every such Lease as aforesaid, shall be utterly Void to all Intents, Constructions and Purposes whatsoever, any thing herein contained to the contrary notwithstanding.

Provided also, And be it further Enacted by the Authority aforesaid, That from and after the Expiration, Surrender, or other Determination of such Lease to be made by Virtue of this present Act, not exceeding Sixty Years as aforesaid, no other or longer Lease of such Boggy or Fenny Grounds, nor in any other manner, shall be made than is prescribed in and by an Act made in the Tenth and Eleventh Years of the Reign of King Charles the First, Intituled, An Act for the Preservation of the Inheritance, Rights and Profits of Lands belonging to the Church, and Persons Ecclesiastical.

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